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7
COMMUNIST POLITICAL SUBVERSION
PART 1

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
SECOND SESSION

WASHINGTON, D. C., NOVEMBER 12, 13, AND 14, 1956
YOUNGSTOWN, OHIO, NOVEMBER 28, 1956
CHICAGO, ILL., DECEMBER 3 AND 4, 1956
LOS ANGELES, CALIF., DECEMBER 5, 6, 7, AND 8, 1956
SAN FRANCISCO, CALIF., DECEMBER 11, 1956
SEATTLE, WASH., DECEMBER 13 AND 14, 1956

Printed for the use of the Committee on Un-American Activities

(INCLUDING INDEX)



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Since these hearings are consecutively paged they are arranged by page number instead of alphabetically by title.

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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¹ Testimony of Wilhelmina Loughrey (correct spelling, Wilhelmine Loughry) and Lawrence Lowe on December 11, 1956, appears in Investigation of Communist Propaganda in the United States, Part 3, pp. 6135-6139.

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121, STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make, from time to time, investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress:

* * * * *

(g) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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COMMUNIST POLITICAL SUBVERSION

MONDAY, NOVEMBER 12, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES.
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities convened, pursuant to call, at 10:30 a. m., in the caucus room, Old House Office Building, Hon. Francis E. Walter, of Pennsylvania (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

The CHAIRMAN. The subcommittee will be in order.

Today the Committee on Un-American Activities begins a series of hearings on what may well constitute the most dangerous area of Communist activity in the United States; a broad and devious campaign of political subversion.

Subversive activities of all kinds, of course, are the essence of the Communist program in the United States. Political subversion is one phase of this program. It consists of the efforts of the Communist apparatus to paralyze legislative and executive action designed to expose and obstruct the Communist Party members and its adherents.

During the past years a number of laws have been enacted to strengthen the hands of our Government to deal with communism in the United States.

The first of these was the Smith Act. More recently we have seen the enactment of the Internal Security Act, the Communist Control Act, and the vital security provisions of the Immigration and Nationality Act. Besides this, various committees of the Congress have been engaged in a continuous attempt to bring to light the activities of the Communist conspiracy and to effect practical instruments for combating them.

Against all of this, the Communists have reacted with a concerted campaign of propaganda, infiltration, and duplicity intended to convince the naive and the uninformed that these weapons represent far more of a menace to our security than the Communists themselves. With flagrant cynicism they have invoked a broad range of humanitarian appeals. Their real purpose, however, is not to strengthen our traditions but to weaken them.

The legislation which they attack is an expression of the will of the American people. These various laws have been open to debate, to public scrutiny and to public appraisal. The campaign of the Communists on the other hand is not open to such inspection. It seeks to conceal its real objectives; and parades with the mask of honesty and reasonableness so that its treachery may go undetected.

During the past months, we have heard much, from people who should have known better, about the Soviet "new look" and the opportunities for peaceful coexistence. We have been subjected to many learned discussions on the supposed changed nature of Soviet communism. It has required a brutal slaughter of tens of thousands of Hungarian patriots to demonstrate that the Soviet Union and Soviet communism are incapable of any change or melioration.

The hearings which we are opening today are the result of intensive staff investigation extending over nearly a year. It is evident from the information thus far available to the committee that the Communist campaign has these three purposes:

First. To obstruct the work of the congressional committees and governmental agencies responsible for dealing with the Communist organization.

Second. To persuade the American people that the threat of communism has diminished.

Third. To create, by means of hundreds of Communist fronts, a clamor for the amendment or repeal of anti-Communist legislation.

Besides creating front organizations, the Communists have also been able to infiltrate a number of non-Communist organizations dedicated to genuine humanitarian purposes. They are attempting to lead these, too, toward the achievement of Communist objectives. It is, of course, true that the fact that the Communist Party favors or opposes particular legislation does not in itself affect the intrinsic merit of that legislation. But it is equally true that the Communist activity in itself does represent a grave danger regardless of the specific objective of its concern. These hearings, I would like to point out, do not deal with any legislative or executive programs themselves but only with the campaign instituted by the Communist Party to destroy these programs. During the following weeks the committee will hold further hearings in key areas throughout the Nation for the purpose of developing additional information on this subject.

The subcommittee appointed to conduct the hearing in Washington in this series will consist of Mr. Morgan M. Moulder, of Missouri; Mr. Gordon H. Scherer, of Ohio; and myself as chairman.

We will now call the first witness.

Mr. ARENS. Mr. Archibald Roosevelt and Mr. Zygmund Dobbs.

The CHAIRMAN. Do you and each of you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROOSEVELT. I do.

Mr. DOBBS. I do.

TESTIMONY OF ARCHIBALD B. ROOSEVELT AND ZYGMUND DOBBS

Mr. ARENS. Gentlemen, will you kindly identify yourselves by name, residence, and occupation?

Mr. ROOSEVELT. Archibald B. Roosevelt, Cold Spring Harbor, N. Y., tax-exempt bond investment banker.

Mr. DOBBS. I am the research director of The Alliance, Inc., New York City.

Mr. ARENS. Mr. Roosevelt, may I respectfully suggest that you tell us a word about the organization or organizations which you represent in the hearings today?

Mr. ROOSEVELT. I represent not only The Alliance but the American Coalition of Patriotic Societies, which is a coalition of various patriotic societies, and they have requested me to represent them in this one phase of the Communist threat and conspiracy in regard to the Immigration Act.

Mr. ARENS. Would you kindly give us, if you please, sir, a word of explanation as to The Alliance organization?

Mr. ROOSEVELT. There is one other organization I represent in this matter. Congressman Walter has received a letter from the Sons of the American Revolution headquarters, signed by Harold L. Putnam, asking me to represent them.

Mr. ARENS. You speak for The Alliance, Inc., for the American Coalition of Patriotic Societies, and for the Sons of the American Revolution?

Mr. ROOSEVELT. That is correct.

Mr. ARENS. Would you kindly give us a word, if you please, sir, respecting The Alliance? What is the organization, when was it founded, and what are its purposes?

Mr. ROOSEVELT. The Alliance organization was founded in the summer of 1953. Its purpose is research entirely on Communist activities. The results of our studies are given without charge insofar as we have the money and time to do it for anybody who requests it, or to the people we think may use it. This ranges all the way from congressional and senatorial committees right down to individuals in small towns and villages.

Necessarily it is restricted because we haven't sufficient money or the personnel.

Do you want to know about the type of staff?

Mr. ARENS. Yes.

Mr. ROOSEVELT. We have on the staff, Mr. Dobbs, on my left, who is the director of the staff for research. Lest you should think, or anybody would think, that we pick and choose and discriminate, we are discriminating only in one fact: that is, we want Americans. So we have on our staff people of Italian descent, Polish descent—first generation Polish and Italian—we have Jewish people, we have one excellent American Negro, and we have a few interlopers like myself whose family has been here quite a while.

Mr. ARENS. Mr. Roosevelt, as the chairman announced in his opening statement, the committee is beginning today a series of hearings respecting the counterattack by the Communist conspiracy in the United States against that part of the Government's program, the work of congressional committees, to expose the Communist operations. You have announced to us privately that the particular phase of the counterattack which has been the basis of your study and of the work of your organizations is that phase respecting the immigration system.

I should therefore like to invite your attention to that subject and let you proceed at your own pace to make your presentation to the committee.

Mr. ROOSEVELT. I have here a prepared statement which I passed in just a minute ago.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that Mr. Roosevelt's prepared statement on behalf of these organizations be incorporated at this point in the record, and that Mr. Roosevelt then proceed with an oral extemporaneous summary.

The CHAIRMAN. That will be incorporated.

(The statement follows:)

STATEMENT OF MR. ARCHIBALD B. ROOSEVELT

SUMMARY OF THE RESEARCH DEPARTMENT OF THE ALLIANCE, INC., ON THEIR INVESTIGATION OF FORCES OPPOSING THE WALTER-MC CARRAN IMMIGRATION ACT

Most people don't realize that the Kremlin has already invaded America. The reason that most Americans are not conscious of this invasion is due to the fact that it has been going on gradually for 39 years. The Soviet leaders have moved entire divisions of their political army into our country unnoticed by all except a few security-minded citizens. These Red forces are a political army which is civilian in appearance and walk the streets of America indistinguishable from the rest of the population. Their weapons of war consisting of infiltration into government, education, finance, and communication by subversion, disruption, poisonous propaganda, and espionage. They are largely an invisible enemy acting behind fronts and, therefore, difficult to pinpoint. Operating as a disciplined and dedicated force they insinuate themselves into various sensitive and key areas of our society.

Armed invasions, such as those in the past decade and a half into eastern Europe are easy to detect, especially with the example in Hungary of armed Soviet troops in uniform attacking and massacring patriotic civilians fighting for freedom.

Although the results of this invasion are tragic and bloody they are at least visible and the enemy can be seen and estimated wherever he is. This visible invasion, however, is only a sequel to a previous invasion of Hungary which was composed of Soviet partisans posing as civilians and refugees over a period of many years as, for example, Bela Kun in the 1920's and Rakosi, just recently deposed. Right after World War II this hidden army of invasion, with the aid of Soviet troops, seized political power and began killing thousands of innocent Hungarian citizens on trumped charges or with no charges at all. The massacre of men, women, and children according to refugees was just as great, if not greater than the current one, even though it did not have the dramatic accompaniment of shellfire from Russian tanks and planes. The real invasion of Hungary began in 1917 through immigration after the Bolshevik revolution. The invasion of America by Soviet immigrant forces began at the same time.

If we permit the Kremlin to undermine our society by filtering in a growing army of Red agents, posing as immigrants, how can anyone but believe that the end result will come as a horrible massacre of patriotic Americans which will make the Hungarian experience seem tame in comparison? After seizing control of our Government, the Reds' first order of business would be to exterminate large portions of our population in order permanently to subdue the American people.

The Kremlin leaders have constantly exhorted their followers in the United States to redouble their efforts to seize control of the United States. The capture of power by the Reds in this country would be a shortcut to world domination. The Red leaders certainly must know that today Great Britain, France, and other European nations are second- and third-rate nations, continually declining from their former position as world powers. The Kremlin gang must know that America is the very citadel of the free nations of the world. The difficulties they are having with their satellites must convince the Soviet leaders that they must redouble their efforts to weaken, undermine, and finally seize power in America. They cannot but know that as long as our Nation stands as a symbol of freedom their strength and position in their satellites are most dangerous, and it cannot but be obvious to the Soviet leaders that the example of America as a free system will inevitably doom the Red tyranny wherever it has entrenched itself.

The Kremlin certainly has planned to send in their toughest and most hardened forces from all over the world into the United States in order to facilitate the conquest of this country by subversion. There is evidence that more than ever they will continue to do so.

Ever since the formation of the Communist Party in 1919 the Soviet leaders have considered the native-born Communist as insufficient and inadequate for the purpose of seizing power. As a result, the control of the Communist apparatus has been primarily in the hands of highly-trained hard-core alien Communists. To build up a successful force the Kremlin must have a two-pronged course of action in the United States. Firstly, they need an assurance that their foreign-born operators (the "regulars" of their invading political army) in this country will not be deported or denaturalized. This will insure the maintenance of those forces which the Red strategists have filtered in through our weak immigration barriers throughout the years.

The second requirement for the conquest of America is to make certain that the security checks against immigrants are weak and ineffective and that there must exist loopholes through which swarms of Red agents can enter this country to swell the size of the subversive forces. Such a growing army of Kremlin forces in this country accompanied by swarms of well-meaning, but ignorant, native-born dupes would inevitably result in the seizure of power from the hands of a careless and unconcerned American people. If the Red Moscow strategists are blocked in their attempt to sneak more agents into the United States and if foreign-born Reds living here are subject to deportation or severe restrictions then the Kremlin plot is seriously crippled. The Walter-McCarran Immigration Act provides America with the legal weapons to stop the Red immigration plot dead in its tracks.

We know of no other country on earth where the alien or naturalized citizen has more rights or opportunity for redress than in the United States under the Walter-McCarran immigration law. Nowhere else are such pains taken to investigate, analyze, and doublecheck the circumstances of an alien before deportation. The range of appeals are so extensive that the most extensive pains are taken to eliminate injustice or hardship in the immigration process.

In a recent conference in Detroit, Mich., the Reds issued a "legal prospectus" where the following estimate of immigration prerogatives enjoyed by all nations was given:

"The foundation upon which the structure of judicial apologia rests for the validation of oppressive anti-foreign-born legislation is the thesis that a sovereign nation may exercise a plenary power over the lives of foreigners within its borders. Historically, it is true that sovereign nations have assumed, in the name of that sovereignty, a limitless power over foreign-born persons who seek to enter or remain in their territory. They have excluded at will, deported without ceremony, and exacted capricious conditions for the right to remain. The liberties, privileges, and protections of their laws have been extended as a matter of grace, not of right, to be withheld or abridged in their limitless discretion."

In the very next sentence however, the same Reds considered the United States not entitled to this long-established concept of rights of a government with respect to an alien and impudently declare: "This country, however, has neither the moral nor the legal nor the historical right to the plenary exercise of such power."

Incidentally we never hear Communists in the United States pointing to the Soviet Union as a model to be emulated on alien or immigration policies. Soviet deportation procedures are based on the thesis that a 3-cent bullet is quick in solving a deportation problem and is much less expensive than a trip on an ocean liner. In fact, alien Reds who are slated for deportation to the promised land behind the Iron Curtain fight to remain here with an amazing display of concern.

To keep foreign-born Red agents in this country and to help bring in additional Reds from abroad became a prime task for Communist leaders here. Without alien Reds the Communist movement in the United States would be ineffective and pitifully weak. In 1923 the Communists International sitting in Moscow, praised the Reds in America for their work defending alien Soviet agents as follows:¹

"The Workers' Party was the only political party which concerned itself with the struggle and the Councils for the Defence of the Foreign-born Workers,

¹From the Fourth to the Fifth World Congress. Report of the Executive Committee of the Communist International. Printed 1924, p. 77.

which were organized by the Party, have developed into organizations that embrace several hundred thousand workers."

Charles E. Ruthenberg, national secretary of the Workers (Communists) Party urged the Red delegates at the third national convention (1923) to busy themselves in the building of Councils for Protection of Foreign Born. During that period the official publication of American Communists declared:

"The campaign for protection of the foreign-born workers established itself as one of major political importance for the party [Communist Party—ed.] and the working class * * * into the campaign to organize Councils for the Protection of Foreign Born must be drawn the mass of workers in America * * *."²

The Councils for the Protection of Foreign Born were not ordinary Communist fronts. They were organized as a Communist organization designed to facilitate the Red invasion of America by Soviet elements disguised as harmless immigrants. They were also organized to hinder all attempts by the United States Government to denaturalize and deport foreign-born Communists already here. This Communist organization later changed its name to the National Committee for the Protection of Foreign Born. It was led, controlled, and directed by members of the Central Executive Committee of the Communist Party of the United States. In 1932 the name of this Communist apparatus was permanently changed to the American Committee for the Protection of Foreign Born. The latter name is the one that has been carried to this very day and has been the Kremlin vehicle in attacking and undermining the Walter-McCarran immigration law as well as all other anti-Red legislation. Communist leaders in the years past have openly boasted in their publications that the American Committee for the Protection of Foreign Born is a Communist vehicle designed to wreck our immigration, deportation, and naturalization machinery.

The American Committee for the Protection of Foreign Born is not a membership organization. Its current officers and sponsors have records of helping Communist causes which would take up hundreds of pages to enumerate. In checking the 74 names listed on a recent letterhead of this organization our research staff discovered that each and every person mentioned had a record of pro-Communist activity. Included in this list are several known Soviet agents.

The American Committee for the Protection of Foreign Born throughout the years has developed slick and tricky forms of propaganda and organization in order to arouse foreign-born and native-born Americans to fight against the establishment of effective security measures against the Red enemy; one of their techniques has been for the American Committee for the Protection of Foreign Born to spawn numerous Red fronts designed to appear as independent liberal groups fighting against injustice.

A Red front set up specifically to fight the Walter-McCarran Immigration Act and the Internal Security Act of 1950 was promoted under the name of the National Committee To Repeal the McCarran Acts.

This organization was designed to whip up sentiment against the immigration law although it claims to be separate and apart from the American Committee for Protection of Foreign Born. A quick check, however, reveals the same familiar leftist names among the sponsors. Since the ACPFB has been so thoroughly exposed as a Red organization the National Committee To Repeal the McCarran Acts was created to arouse Americans against the internal-security laws of our country under the guise that they were dangerous to law-abiding residents.

The main propaganda barrage by the Reds repeats the claim that deportation proceedings against Communists (there are about 360 cases so far) represents an attack against 14 million foreign-born residents. Communist propagandists even stretch anti-Red legislation as to endangering all native-born Americans. This propaganda line makes it appear that restrictions against a few Communists will snowball into a threat against millions of Americans.

It is amazing how numerous citizens fall for the Communist claim that an attack against the Reds is an attack against all Americans. When a number of pro-Nazi were deported from our shores a few years ago there was no outcry that deportation of these totalitarians represented a blow against the liberty. When Italian Fascists were expelled from this country there was no shout that all Americans would suffer because of this. Actually, many dangerous criminals have been deported from our shores and no one ventured to say that this would represent a threat against 14 million foreign born.

It seems that only Communists are given preferred rating.

² Workers Monthly, a Communist magazine, October 1925, pp. 531-538.

It seems that only Communist totalitarians arouse the bleeding hearts of the "liberals" who manage to build up the deportation of Reds into a threat against all Americans.

Such twisted and one-sided reasoning is a phenomenon of our age.

An ordinary criminal who has either robbed a bank or killed a person can be deported without a single protest from the single voice "do-gooders" on his behalf. But if a Red, who is plotting to overthrow the Government and intends to help murder thousands of people in the process, is even threatened with deportation, then there is an organized chant by a host of clergymen, professionals, educators, and politicians springing to his defense and screaming to the high heavens about liberty, freedom, and the Bill of Rights.

The Communist propaganda line in dealing with Red deportees classify them either as mothers, fathers, very old, sickly, or helpless. They sidetrack the fact that Communists are deported for subversive activity. Surely, those who have been murdering the patriotic Hungarians with a shot in the back could also be classed mothers, fathers, and some are even very old. In fact, there is no more dangerous Communists in the world than the one who is old and thoroughly indoctrinated for many years. No one raised his voice in protest against the deportation of Nazis because they were either old or were the parents of American-born children. Why should not all totalitarians be given equal treatment in the eyes of right-thinking people?

The intent and design of the Walter-McCarran immigration law is to give fair treatment, in the American tradition, to the non-Communist foreign born and the same time restrict or evict the Red enemy that lurks within our shores. The murderous deeds of Red agents both in civilian clothes and in uniform across the sea are perpetrated by exactly the same kinds of Communists as exist within the boundaries in our country. They are all cut from the same cloth.

The Red forces in this country when given the same opportunity as those in Poland or Hungary will butcher patriotic Americans in the same cruel manner that we have witnessed on the European mainland.

MR. ROOSEVELT. I would like to start out by saying that the greatest inspiration that the staff and myself and those supporters of the alliance has had has been two very great individuals, Senator McCarran and Congressman Walter. We feared that everything had finished when Senator McCarran had died, but we now find that Congressman Walter is equal in stature. We also appreciate a great deal the people on this committee.

Some years ago we started a study on the Immigration Act only from the Communist point of view. We did not take up the quota situation. It is too big and too complicated for us to handle. We just have a pinpointing proposition. We do realize just in passing that one of our Presidents once said long before the Communist menace that the United States should not be, as he said, a "polyglot boarding house."

MR. ARENS. Was that President one who carried the same name as yours?

MR. ROOSEVELT. Yes, one of them. A very different one from the last one. After going into the McCarran-Walter Act, we began to realize that although it seems as though it is a foreign situation, it is all part and parcel, as you outlined previously in your opening statement, of the entire internal security situation of the United States. Without careful screening of immigrants, the United States can be easily taken over just the way that Hungary was.

The present revolution in Hungary is largely due to gradual immigration of foreign Communists before World War II. Anyone who reads the papers today can see the result. We want to avoid that in the United States.

MR. ARENS. Could you give us a word of the technique used by The Alliance and its research staff in developing the information respecting the Communist drive to destroy the immigration system?

Mr. ROOSEVELT. After we became interested through the efforts of the committee here, and through Senator McCarran, we picked out two of our staff who had either been employed as witnesses or directly employed in the Immigration Service of the United States. They knew what to look for. Obviously we have not the power of subpoena or getting witnesses, so we have to go to the various libraries in the country. We had quite a staff looking over the newspapers, pamphlets, magazine, speeches, statements, and so forth. I imagine that if we counted it up, we looked over between 30,000 and 40,000 documents in the last 2 years. I don't mean personally. It is impossible for any one person to do so. But our group has done this.

Out of that we extracted such material as we thought bore on this particular matter of seeing how this conspiracy started and how it had developed. Not only were we interested in the great people who gave us the inspiration, but we were interested in the opposition. The opposition line, of course, started in the Daily Worker. Then it was picked up by the various leftwing organizations, the ADA, and particularly that Communist organization, the American Committee for Protection of Foreign Born. You notice that I say Communist organization. If you wish, I can prove by their own statements that they are an agency of the Communists in Russia. They make no bones about that. Of course, you know as well as I that the hard core—what you might call the professional army of professional Communists, mostly consists of foreigners, with a few Americans. It operates largely through Communist fronts or through well-meaning individuals with bleeding hearts, whose hearts are soft, and unfortunately so are their heads.

When you are fighting them, the way we do—I am not talking about a committee in Congress now—we find out that they set up a front line of these well-meaning people just the way Red soldiers in real warfare send out a screen of women and children and peasants to be shot down. That is exactly how the Communists work in their political organizations in this country.

At first we couldn't understand why all of these other organizations, like the ADA, American Committee for Protection of Foreign Born, and all the leftwing groups, were so violently opposed to the McCarran-Walter Act, while we heard nothing from the law-enforcing agencies or the administration explaining the purpose of the law.

There was a peculiar silence there. In fact, it was worse than silence. The presidential candidates of both parties in the last two elections were constantly stating that the McCarran-Walter Act should be, as they said, liberalized, which, in effect, meant it should be annulled and all the teeth taken out of it. That is undoubtedly due to the propaganda put out largely by well-meaning brain-washed men who are very busy and do not understand what goes on under the surface of the Communist plot.

We have various documents which prove to us a couple of things. One, that the Communist menace at home is—notice, I said at home—the greatest menace to our Republic today. That is one of our main theses. Two, that unrestricted immigration is one, if not the most important, weapon that the international Communists can be given for the conquest of the United States. I cannot overemphasize too much that this is part and parcel of their attack on the overall secu-

rity problem for our Republic against both internal and external Communists or any other totalitarian subversion.

On page 8 of a pamphlet we published on the subject of The Communist Immigration Peril we stated as follows:

Soon after setting up the Communist International, Lenin, Stalin, Molotov, et al., realized that a vital requirement for world political warfare operations was to facilitate the immigration processes which would allow the movement and deployment of Communist political armies from one nation to another with a minimum of legal immigration delays.

Coupled with the plan to establish freedom of emigration was a campaign to give unhampered rights for those foreigners already established to carry on subversive activities. In other words, complete freedom of emigration, which in Bolshevik language was for the "unhampered shifting of political armies" plus a campaign against deportation, which would permit the Red agents to operate without danger of being removed from their sector of operation.

This double-edged program became sloganized as the "Fight for political asylum" and the "Fight against deportation for political activity." In other words, the problem was to move Red political soldiers freely into all sectors and to prevent those subversive aliens already entrenched from being thrown out of the country.

In our opinion, this is what the McCarran-Walter Act has successfully put into legislation, the means to block such movement of foreign Reds within the United States.

The CHAIRMAN. May I interrupt at this point, Mr. Roosevelt, to point out the fact that it is the aliens who were subject to the deportation laws, not citizens. A lot of these leftwing organizations and publications attempt to deceive the people into believing that an American citizen can be deported. He cannot be deported. It is the alien who commits a felony within 5 years or two felonies thereafter, or becomes a member of the Communist Party. I don't know what is so unreasonable about that.

Mr. ROOSEVELT. I think even more astonishing is that this outfit—the worst outfit, the American Committee for Protection of Foreign Born—claims it exists to protect 14 million foreign born in the United States—they always stick to that number, 14 million. They even started out in 1928 talking about the 14 million.

I did not notice any movement on the part of the American Committee for Protection of Foreign Born to try to save those Russian aliens who were in here and were kidnaped by Soviet agents. Was there, Mr. Walter?

The CHAIRMAN. It is very significant to note that in all of these attacks made by certain newspaper people no mention is ever made of the fact that over 500 drug peddlers, white slavers, felons of all sorts, have been deported under the provisions of the Walter-McCar-ran Act. No word is ever mentioned of that.

Mr. ROOSEVELT. They talk about the fact that these 14 million people are in danger. I believe Mr. Abner Green in his report for the American Committee for Protection of Foreign Born on December 11 and 12, 1954, page 9, stated that the Attorney General said that under the McCarran-Walter Act, the Justice Department would deport 12,000 noncitizens and denaturalize 10,000 naturalized American citizens. So far I believe a little over 300 subversive aliens are up, not for deportation, but only for hearings. Perhaps you could check me on that. That is a far cry from the 10,000 and 12,000.

Incidentally, if you add 12,000 and 10,000 it makes 22,000, which would indicate that in the opinion of Mr. Abner Green, there are 22,000

aliens in here that he can depend on for Communist professional armies. Say that there are 5,000 deluded Americans who have become Communists, if we could get rid of those 22,000, which according to Abner Green are on his side, not 14 million, but 22,000, a great deal of our problems of Communist infiltration, and Communist activity here would be solved.

Mr. ARENS. Mr. Roosevelt, did the study of your staff of these many thousands of documents lead you to any conclusion with respect to the number of fronts which the Communist conspiracy has created in front of the American Committee for Protection of Foreign Born for the purpose of brain washing the American people on this one law designed to protect us against the Communist conspiracy?

Mr. ROOSEVELT. We know of about 100 organizations, in 15 of the most populous States. That does not include nice organizations that are trying to protect some group of people and are coming out for the repeal of the act, thus aiding the Communists.

Mr. ARENS. Has your study revealed the existence of 100 organizations in these 15 States which have been created by the Communist conspiracy for the purpose of destroying the safeguards of the Immigration and Nationality Act?

Mr. ROOSEVELT. Yes. I would be glad to submit the names.

Mr. ARENS. We have those, and we will go into that during the course of this series of hearings which will take us across the continent.

Mr. ROOSEVELT. I would be glad to submit the names and give our reasons.

Mr. ARENS. Thank you, sir.

Mr. ROOSEVELT. Coming right on to that subject, the prime mover of this outfit is the American Committee for Protection of Foreign Born, headed by Mr. Abner Green. This has a long history. It has changed its name slightly throughout the years. It started in 1923.

In the Workers' Monthly, on page 269, we have one reference.

Mr. ARENS. In the Workers' Monthly, a Communist publication.

Mr. ROOSEVELT. Which is a Communist magazine: April 19, 1926. Shall I read it?

Mr. ARENS. If you please, sir.

Mr. ROOSEVELT (reading):

COUNCILS FOR PROTECTION OF FOREIGN BORN

In fact, there is no organized resistance to their passage outside that being rallied under the direction of the Councils for the Protection of the Foreign Born. These councils are springing up all over the Nation in all the large industrial centers. They provide the necessary centers for the mobilization of all elements anxious to blast this plot in America's employing class to divide and conquer American labor. This mobilization must include all who toil, both foreign and native born, under the lash of capitalist industry within the confines of the United States. The whole working class must unite as a unit. The reply to the attack on the foreign born must be to develop this solidarity.

I can hand this in if you wish.

Mr. ARENS. If you please.

Mr. ROOSEVELT. The earliest record we have on the Councils for Protection of Foreign Born is in 1923. They changed their name slightly as they went along. I have here a pamphlet called From the Fourth to the Fifth World Congress, which is a 1923 Report of the Executive Committee of the Communist International sitting in the Kremlin. It is on page 77, paragraph 4. It shows that in Moscow 33 years ago

they plotted infiltration of the United States by immigration. Shall I read that, sir?

Mr. ARENS. If you please, sir.

Mr. ROOSEVELT (reading):

A second very important activity of the party was the fight against the exceptional laws which the American Government is planning against the foreign-born workers of America, who comprise the lowest strata of the proletariat. The Workers' Party was the only political party which concerned itself with the struggle, and the councils for the defense of the foreign-born workers, which were organized by the party, have developed into organizations that embrace several hundred thousand workers.

Do you wish me to submit that, sir?

Mr. ARENS. If you please, sir.

Mr. ROOSEVELT. Then I have to show further developments, a pamphlet which is called *The Communist, a Magazine of the Theory and Practice of Marxism-Leninism*. This is the issue of January 1931. Here is an article on page 18, from the Report of the Political Committee to the 12th Central Committee Plenum, CPUSA" (Communist Party, United States) "November 22, 1930." Shall I read that, sir?

Mr. ARENS. If you please, sir.

Mr. ROOSEVELT (reading):

FOR PROTECTION OF FOREIGN BORN

Another special field of the development of our mass contacts, of our mass work, mass organization, is the field of the foreign-born workers who are subjected to special persecutions as a part of the general capitalist offensive against the working class. We have made some beginnings in this direction. These beginnings in the setting up of councils for the protection of the foreign born have been very promising. They serve as another example to the party of how necessary it is, if we want to organize support behind the party, to organize the struggle of the masses, to find their immediate burning concrete needs. Hundreds of thousands of the foreign-born workers in the United States today feel the menace of the projected legislation for fingerprinting of the foreign born, the menace of deportation laws, the menace in the cities of special dismissals of foreign-born workers in order to make jobs for natives; they feel the menace of the setting of the Negroes against the foreign born. In this field of struggle against the discriminations against the foreign born, we have one of the important channels of mass activity in the country today. Our efforts along this line have received response from the masses, * * *.

Mr. ARENS. In what year was that published, please, sir?

Mr. ROOSEVELT. 1931. I am just tracing the history of the American Committee for Protection of Foreign Born.

Mr. ARENS. I appreciate that.

Mr. ROOSEVELT. I have here another document entitled "The Communist Party in Action," by Mr. Alex Bittelman, published by the Workers Library Publishers, May 1934. I am quoting now from page 9:

Under the leadership of the Communist Party, ever larger numbers of American workers, native and foreign born, white and black, are participating in the fight against the political reaction of the capitalist class, and for the defense of workers' rights. For these struggles some special organizations have been created, such as the International Labor Defense and the Council for the Protection of the Foreign Born, organizations that embrace all workers, regardless of their political affiliation, a united front of the masses for the fight against the political reaction of the ruling class and for the defense of workers' rights under the leadership of the party.

I want to read from another document called "Proceedings, 10th Convention, Communist Party, New York State, May 20-23, 1938," page 310, paragraph 10:

FOREIGN BORN

Resolved, That we, 850 delegates of the 10th convention of the Communist Party, State of New York, go on record supporting full defense of the economic and political rights of the foreign born to jobs and relief, for an end to the deportation of foreign born, and for the reestablishment of the American tradition of the right of asylum for political and religious refugees in the United States. *Resolved further*, That we support the program of the American Committee for Protection of Foreign Born which fights to win full and equal rights for the foreign born in the United States.

There is certainly no question that in 1938 the American Committee for Protection of Foreign Born was an organic part of the Communist machine.

MR. ROOSEVELT. I have here Political Affairs, V. J. Jerome, editor, a Magazine Devoted to the Theory and Practice of Marxism-Leninism, February 1951 issue, which is devoted to a report of the 15th national convention of the Communist Party of the United States of America. Page 127 reads:

The Civil Rights Congress, under the able leadership of William Patterson and Aubrey Grossman, is the logical inheritor of the I.L.D.'s record and experiences, and the Committee for the Protection of the Foreign Born, led by the devoted and indefatigable Abner Green, performs invaluable service in the fight against the Government's deportation drive. It is the duty of all progressives to appreciate the need of these organizations, help raise funds, and support their work.

MR. ROOSEVELT. Another interesting study that we made is of the letterheads of recent letters written by the American Committee for Protection of Foreign Born. We made a study of those people listed on the letterheads.

The difficulty is that it would take a couple of hundred pages to list all of the leftwing affiliations, and in many cases open Communist affiliations of the people on the letterheads. If the committee wants such a study, we shall be delighted to do it. There are 74 names on the letterhead. All have a record of leftist affiliations.

MR. ARENS. We would be happy to have it, sir.

MR. ROOSEVELT. We are accused that all that we are doing is tearing down, so if the committee would not mind it, I would like to give my suggestions as to what should be done to help on this particular subject of the immigration situation.

I wrote a little brochure as to what should be done, but I found out afterwards it didn't go nearly far enough after we delved further into the immigration problem.

First of all, I quote from it now:

Enemies of America are leading a campaign to scuttle the new immigration statutes so as to open the door once again to the Red hordes.

Here are some of the things that aroused Americans can do to stop this betrayal:

1. Individuals and organizations should solicit from Congressmen and Senators open public support of the Walter-McCarran Immigration Act and to get promises of further plugging of loopholes against Red infiltration. Those of the law-makers who do not support this law should be forced to stand up and be counted, publicly.

I would like to add onto that that I have learned since, and I entirely agree with the people who say that the Walter-McCarran Act

should be revised. It should be revised so that it is much stronger, much more powerful, not that it should be watered down; that it should be tightened because Communists, like some other people, are schemers. They started studying this long before it was even talked of in the newspapers. They are studying now, and they have every loophole worked out. So you have to go back to the study of the law and find out the loopholes and tighten the McCarran Act still further and revise it so it is stronger.

2. Letters and telegrams should be sent not only to legislators, but also to newspapers, magazines, and commentators on radio and TV. Those who oppose our security laws should be exposed for their stand, while those who fight for such laws should receive commendation and support.

3. This is not a partisan issue. All nonpolitical avenues such as the pulpit, social clubs, and fraternal organizations should be aroused to back a program for greater internal security.

Adding on to that, I think that a thorough investigation should be made of orders given to the United States Immigration and Naturalization Service. If you read Mr. Abner Green's report—incidentally, a thorough investigation of Mr. Abner Green should be made, among other things why did he change his name and other relevant matters—and see his report on page 9 of the New York City conference of 1954, of the American Committee for Protection of Foreign Born, where he states that the Attorney General estimated they should deport the 12,000 noncitizens and denaturalize the 10,000 citizens. You can see the difference in what the Attorney General suggested and what little has happened. Why the failure to enforce this law?

I think the American public are entitled to know why there has not been more enforcement of the Walter-McCarran Act, more telling of the people throughout the United States what it means, and we should have a very thorough investigation as to why immigration officials were so lax, if not something worse, in allowing these frightful kidnappings and browbeatings by Soviet agents, so that it is dangerous for a non-Communist Russian, and it will be dangerous for a non-Communist Hungarian of any importance to live in the United States. They talk so much of asylum, these Americans for Protection of the Foreign Born. Here are people who wanted asylum, and I never heard Mr. Abner Green make a peep about the kidnappings.

Are there any questions?

The CHAIRMAN. Asylum means infiltration to those people.

Mr. ROOSEVELT. It does in their case.

Mr. ARENS. Thank you very much. Mr. Roosevelt and Mr. Dobbs.

The CHAIRMAN. Thank you, Mr. Roosevelt. I am sure I am expressing the sentiments of our committee when I say that we deeply appreciate the work that your organization is doing. It is unfortunate that more people are not doing the same thing, and that more people are not aware of the danger or aware of how they can be imposed upon. Just recently a resolution was adopted by a church organization in my district—I went to the trouble of finding out where it came from—I found it had been written in the Communist Party headquarters in Los Angeles. I can prove it. So it just goes to show that unless people are aware, they can be imposed upon.

Call your next witness.

Mr. ARENS. Mr. Abner Green, kindly come forward.

The CHAIRMAN. Will you raise your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GREEN. I do.

**TESTIMONY OF ABNER GREEN, ACCOMPANIED BY COUNSEL,
JOSEPH FORER**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. GREEN. My name is Abner Green. I live at 310 East 39th Street, New York City, N. Y. As to my occupation, I decline to answer on the ground that this committee has no authority to conduct this inquiry and is violating my rights under the first amendment and my privileges under the fifth amendment not to be a witness against myself.

The CHAIRMAN. Just a minute. What trouble do you think that you would get into if you stated your occupation?

Mr. GREEN. I decline to answer that for the reasons I just stated.

The CHAIRMAN. Are you ashamed of your occupation?

(Witness consulted his counsel.)

Mr. GREEN. Not at all.

The CHAIRMAN. Then state it.

Mr. GREEN. I decline for the reasons I have just stated, sir.

Mr. ARENS. You are appearing today, Mr. Green, in response to a subpoena which was served upon you by the House Committee on Un-American Activities.

Mr. GREEN. Yes; I am.

Mr. ARENS. That subpoena requires you to produce certain letters, leaflets, documents, and minutes, does it not?

Mr. GREEN. Yes; it does.

Mr. ARENS. Are you the custodian of the minutes, documents, leaflets described in the subpoena which was served upon you?

(Witness consulted his counsel.)

Mr. GREEN. The main difficulty in respect to what documents, minutes, and copies of correspondence I may have in my possession revolves around the description of the documents which have been subpoenaed here by this committee.

Mr. ARENS. Let us read them, then. Are you, Mr. Green, the custodian of letters, copies of letters, leaflets, and documents, passing between the American Committee for Protection of Foreign Born, its officers and agents, and the New England Committee for Protection of Foreign Born.

Mr. FORER. Excuse me. The subpoena describes those letters.

Mr. ARENS. Yes. Are you the custodian of the documents to which I have just alluded?

Mr. GREEN. That is—

Mr. ARENS. Do you have letters in your possession or control?

Mr. GREEN. I have many letters in my possession.

Mr. ARENS. Passing between the American Committee for Protection of Foreign Born and the New England Committee for Protection of Foreign Born?

Mr. GREEN. That is not what the subpoena directed me to produce.

Mr. ARENS. The subpoena directed you to produce documents de-

scribed in the attachment to the subpoena, and I am alluding to that now. Do you have documents, letters, passing between the American Committee for Protection of Foreign Born, and the New England Committee for Protection of Foreign Born?

Mr. GREEN. But the subpoena——

The CHAIRMAN. Read the subpoena.

Mr. ARENS (reading):

All letters and copies of letters, and all leaflets and documents of any nature whatsoever incoming and outgoing passing between the American Committee for Protection of Foreign Born and its officers and agents, and the New England Committee for Protection of Foreign Born, the New York Committee for Protection of Foreign Born, the Eastern Pennsylvania Committee for the Protection of Foreign Born (also known as the Philadelphia) Committee, the Western Pennsylvania Committee for the Protection of the Foreign Born, the Ohio Committee for the Protection of Foreign Born, the Midwest Committee for the Protection of Foreign Born, the Michigan Committee for the Protection of Foreign Born, the Minnesota Committee for the Protection of Foreign Born, the Los Angeles Committee for the Protection of Foreign Born, the Northern California Committee for the Protection of Foreign Born, the Northwest Committee for the Protection of Foreign Born (also known as the Washington) Committee for the Protection of Foreign Born, the Oregon Committee for the Protection of Foreign Born, their officers and agents, during the period January 1, 1953, to October 20, 1956, designed to revise, repeal, influence the revision or repeal of the (a) Smith Act; (b) Internal Security Act; and (c) Immigration and Nationality Act.

Do you have in your possession copies of such documents that I have described?

Mr. GREEN. My problem is to arrive at—an attempt to arrive at—a conclusion of correspondence designed to influence or repeal the Smith Act, Internal Security Act, and the Immigration and Nationality Act, and the difficulty to seek to define that term, I find difficulty in answering the question as to whether I have such documents in my possession or control.

Mr. ARENS. Do you have documents pertaining to any correspondence between the American Committee for Protection of Foreign Born and the other committees or organizations to which I have just alluded in reading the attachment to your subpoena?

Mr. GREEN. Yes.

Mr. ARENS. Do you have them with you?

Mr. GREEN. No.

Mr. ARENS. Will you produce those before the Committee on Un-American Activities?

Mr. GREEN. Produce what?

Mr. ARENS. The documents to which we have just alluded.

Mr. GREEN. Perhaps I should have the record read so I know what the allusion is to.

The CHAIRMAN. You were subpoenaed to bring certain documents. Did you bring any documents at all?

Mr. GREEN. No, sir.

Mr. ARENS. Mr. Chairman, in order that the record be abundantly clear, I respectfully request that our record at this point reveal an excerpt, "Proceedings before the Subversive Activities Control Board of February 10, 1956," in which this witness, Mr. Abner Green, was interrogated with respect to books and records of the American Committee for Protection of Foreign Born; in response to a particular question pertaining to those records, the witness stated, and I quote:

They are in my sole custody as executive secretary of the American Committee for Protection of Foreign Born.

Mr. ARENS. Mr. Green, did you appear on the date of February 10, 1956, before the Subversive Activities Control Board?

(Witness consulted his counsel.)

Mr. GREEN. I refuse to answer.

The CHAIRMAN. It is a matter of public record, Mr. Arens.

Mr. GREEN. On the grounds which I stated previously.

The CHAIRMAN. Now I direct you to answer this question.

Mr. GREEN. I refuse to answer on the grounds stated previously in opening my testimony.

The CHAIRMAN. You understand you are being asked about something that is a matter of public record, and you refuse to answer that question?

Mr. GREEN. Yes, sir.

Mr. ARENS. Mr. Chairman, so this record may be abundantly clear, I respectfully suggest that here and now Mr. Green be ordered and directed to produce forthwith the documents called for in the subpoena duces tecum which was served upon him by this committee.

The CHAIRMAN. That is not necessary. The subpoena duces tecum was properly served on him. He stated that he did not bring any records at all. That is enough. I direct you to answer the question that I previously asked concerning your statement before the Subversive Activities Control Board.

Mr. GREEN. I refuse to answer on the ground that this committee has no authority to go into this matter, and that the question violates my rights under the first amendment, and my privilege under the fifth amendment not to be a witness against myself.

(Witness consulted his counsel.)

Mr. GREEN. As to the documents called for by the subpoena, in addition to the fact that the subpoena itself is vague, I also want to state that the demand for these documents is not only beyond the scope and authority of the committee, but also a violation of my rights under the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest at this point that the subpoena duces tecum together with attachments be incorporated in the record.

The CHAIRMAN. That will be done.

(Documents marked "Exhibit No. 1a-c," see appendix, pp. 7083-7085.)

Mr. ARENS. Mr. Green, have you ever refused before a court to produce the records of the American Committee for Protection of Foreign Born?

(Witness consulted his counsel.)

Mr. ARENS. Or the Civil Rights Congress, before a court or a grand jury?

(Witness consulted his counsel.)

Mr. GREEN. I decline to answer on the ground that the question violates my privilege under the fifth amendment to be a witness against myself.

Mr. ARENS. Mr. Green, I lay before you a reproduction of an article appearing in the Washington Star, July 28, 1951, quoting Abner Green to the effect, "I will not obey court orders to produce Civil Rights Congress' records before a Federal grand jury." I ask you if that is a true and correct quotation of your statement?

(Document marked "Exhibit No. 2," see appendix, p. 7086.)

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. You are directed to answer the question.

Mr. GREEN. I decline, sir, for the reasons previously stated.

The CHAIRMAN. Are you a member of the American Committee for Protection of Foreign Born?

Mr. GREEN. I have already stated my reasons for refusing to answer that question, and it is the same ground.

The CHAIRMAN. I did not hear you. What was the reason?

Mr. GREEN. That this committee does not have the authority under its charter to investigate this matter, to go into the question of efforts to influence Federal legislation, and that the question violates my rights under the first amendment and my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. I am not asking anything about the activities of the organization. I am merely asking you if you are a member of the American Committee for Protection of Foreign Born.

Mr. GREEN. I decline to answer, sir, for the reasons stated.

Mr. ARENS. Mr. Chairman, we will have a great number of exhibits to be used in connection with this witness' testimony. I should like to request that the Chair order that the exhibits as offered be appropriately marked and incorporated in the record. It will save time.

The CHAIRMAN. Let it be understood unless there is objection to the exhibits offered that they will be made a part of the record.

Mr. SCHIERER. The witness has refused to answer the question as to whether or not he is a member—

Mr. FORER. You mean I can object to these documents?

The CHAIRMAN. Yes. Then we will pass on it.

Mr. SCHIERER. The witness has just said that he refuses to answer the question as to whether he is a member of the American Committee for Protection of Foreign Born because it is beyond the scope and power of this committee to ask that question. I have a question that there is no question about. Are you a member of the Communist Party today?

Mr. GREEN. I decline to answer, sir, on the grounds stated previously that the question is an invasion of my rights under the fifth amendment.

Mr. ARENS. Mr. Green, have you refused to produce the records of the American Committee for Protection of Foreign Born before the Supreme Court of the State of New York?

Mr. GREEN. I am sorry, I didn't get the question.

Mr. ARENS. Did you in 1955 refuse to produce the records of the American Committee for Protection of Foreign Born before the Supreme Court of the State of New York pursuant to an action initiated in that State?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I lay before you, Mr. Green, a copy of an article appearing in the New York Beacon, issued by the American Committee for Protection of Foreign Born. It states, in effect, that an action was initiated by the State of New York for the production of the records of the American Committee for Protection of Foreign Born and the New York Committee for Protection of Foreign Born. I ask you if that article, so far as you know, is a true and correct presentation of the facts?

(Document marked "Exhibit No. 3," see appendix, p. 7087.)

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Who is Irving Novick?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Was Irving Novick executive secretary of the American Committee for Protection of Foreign Born immediately prior to your ascendancy to that office?

Mr. GREEN. I decline to answer on the previous grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, at this point that the record include excerpts from the transcript of the hearing before the Subversive Activities Control Board on February 10, 1956, in which Mr. Green testified that Irving Novick was his predecessor in the committee and one Marjorie Spector was an aide in that organization.

The CHAIRMAN. Did you so testify before the Subversive Activities Control Board?

Mr. Green, I direct you to answer this question, the question as to whether or not you testified that Novick preceded you as secretary for the American Committee for the Protection of Foreign Born.

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. Mr. Green, did you lead a National Conference to Defend the Bill of Rights, December 2, 1950, in New York City?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I invite your attention, if you please, sir, to a copy of a leaflet entitled "Fight Deportation," March 1951, issued by the American Committee for Protection of Foreign Born, pertaining to a National Conference to Defend the Bill of Rights, in New York City, December 2, 3, 1950, in which the following appears:

A press conference should be held with invitations sent to the local metropolitan press, foreign language, labor, church, community, and civic newspapers and publications. The families of deportees—especially those going to Washington—should be present to be interviewed by the press as well as a few prominent members of the community, national group, or defense committee. * * *

The families of the deportees will meet in Washington on March 27 and 28 to protest to the President, Attorney General, Commissioner of Immigration and Naturalization, Congressmen, and other Government officials. A program of activity in Washington is now being organized and details will be sent to you soon.

(Document marked "Exhibit No. 4a, b," see appendix, pp. 7088; 7089.)

I ask you whether or not you participated in that conference and outlined that program alluded to in the document before you.

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. SCHERER. I ask that you direct the witness to answer. I can't see how an answer to that would incriminate him.

The CHAIRMAN. I direct you to answer the question.

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Mr. Green, I lay before you a photostatic copy of a publication entitled, "The Lamp," published by the American Committee for Protection of Foreign Born. It contains references to a National Conference To Defend the Rights of Foreign Born held in New York City on December 11 and 12, 1954, attended by participants from 16 States and the District of Columbia. It also sets forth a schedule of the conferences and the program outlined by American Committee for the Protection of Foreign Born for 1955. Will you kindly look at that document and tell us whether or not that is a true and correct representation of the conferences and program scheduled

for the American Committee for Protection of Foreign Born for 1955 in which you participated?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 5," see appendix, pp. 7089-7091.)

Mr. ARENS. Have you been active in the course of the last few years in immigration matters of any kind or character?

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. I direct you to answer that question.

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. What possible trouble do you think you could get into if you admitted that you were active in trying to prevent the deportation of anyone for anything?

(Witness consulted his counsel.)

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Mr. Green, I invite your attention to a bulletin issued by the American Committee for Protection of Foreign Born, in which is set forth, among other things, a memorial to Congress. I should like to read certain excerpts and ask you some questions about it.

State legislatures: The Walter-McCarran law is Federal legislation, adopted by the United States Congress. There is, therefore, nothing that any State or local legislature can do about the provisions of the law since only Congress can repeal or amend it.

State and local legislatures, however, can make important contributions to the fight to repeal or amend the Walter-McCarran law. This can be done by the legislature adopting a memorial to Congress, or perhaps a special resolution to memorialize Congress.

To summarize this: it suggests communicating with all contacts, organizations, and individuals in all communities which received this bulletin, to contact members of State legislatures and to try within many States legislatures to get resolutions adopted. The bulletin says, and I shall now quote:

We enclose, as guides, copies of legislation introduced in State and local legislatures in the past. This is intended as a guide to you, and also to help convince State or local legislators to take action. Attached are copies of legislation from—

"1. The Commonwealth of Massachusetts State Legislature.

"2. City Council of Philadelphia, Pa.

"3. New York State Assembly.

"4. New Jersey State Senate.

"5. Pennsylvania State House of Representatives."

I lay that bulletin before you and ask you what part, to your certain knowledge, the Communist conspiracy had in causing to be enacted or introduced in these several State or city legislatures enumerated in that bulletin, resolutions condemning the Walter-McCarran Immigration and Nationality Act?

(Document marked "Exhibit No. 6a-e," see appendix, pp. 7091-7094.)

Mr. FORER. May we have the question again?

(The question was read by the reporter.)

Mr. FORER. Do you want him to answer that question?

Mr. ARENS. Certainly we do. We wouldn't have posed it. To your certain knowledge.

Mr. FORER. I think it is a bad question.

Mr. ARENS. To your certain knowledge, did the Communist conspiracy take a part in undertaking to persuade these various governmental bodies to pass the resolutions alluded to in that bulletin?

Mr. FORER. Mr. Arens, your formulation is now different from the one that was read. Let him answer the question that was read.

Mr. ARENS. The counsel's sole and exclusive prerogative is to advise the witness on his constitutional rights.

Mr. FORER. He can only answer one question at a time.

Mr. ARENS. If counsel wants to be sworn, we will have him sworn and testify.

Mr. GREEN. In response to the question read, to my knowledge, none at all.

Mr. ARENS. Did you take a hand in undertaking to persuade State legislatures, city councils, to pass such resolution?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Were you a member of the Communist conspiracy at the time you took a hand in undertaking to cause such resolutions to be passed?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that the American Committee for Protection of Foreign Born, under your direction and the direction of the Communist conspiracy, was active in attempting to procure such resolutions?

Mr. GREEN. Is that a question?

Mr. FORER. Too many questions.

Mr. GREEN. It is not a question.

Mr. SCHERER. What was this?

Mr. GREEN. It was not a question. It was a statement.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact.

Mr. FORER. Then you have about 18 different facts.

Mr. ARENS. Counsel should compose—

Mr. SCHERER. I ask that he be directed to answer the question. I understood the question.

Mr. GREEN. I don't understand the question. I would like to have it read.

(The reporter read the question.)

(Witness consulted his counsel.)

Mr. GREEN. The problem arises still from the question, the fact that it has 2 or 3 different statements of fact.

Mr. ARENS. Let us be a little more specific. I lay before you now a report by Abner Green, executive secretary of the American Committee for Protection of Foreign Born to the National Conference To Defend the Rights of Foreign Born, New York, December 1954. In this report on page 19, we find the following:

There are today about 100 organizations in 15 States organized to work exclusively for the defense of the rights of the foreign born. These States where such committees function include Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Wisconsin, Missouri, Washington, Oregon, and California, etc.

(Document marked "Exhibit VI," appendix, pp. 8372-8405.)

I lay that document before you, please, Mr. Witness—

Mr. GREEN. Counsel will hand it to me.

Mr. ARENS. I lay it before the witness, if you please, and ask you if you made that report to the national conference.

Mr. GREEN. I decline to answer for the reasons previously stated. Would you hand it to Mr. Arens, please?

Mr. ARENS. Do you honestly apprehend that if you told this committee the truth, as to whether or not you made the report to the national conference stating that there are today about 100 organizations in 15 States organized in the manner outlined in this report, that you would be supplying information that could be used against you in a criminal proceeding?

(Witness consulted his counsel.)

Mr. GREEN. It is possible.

Mr. ARENS. Mr. Green, did you have a hand in the organizing of these 100 organizations in 15 States?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Do you have a list of the 100 organizations alluded to in your report to the National Conference To Defend the Rights of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that the American Committee for Protection of Foreign Born did organize 100 organizations under your auspices in 15 States, all designed to destroy the Immigration and Nationality Act.

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. Would that information be available had he produced the documents under subpoena?

Mr. ARENS. Yes, sir.

The CHAIRMAN. I notice in looking at the subpoena that the second paragraph was not referred to. Mr. Green, a subpoena duces tecum was served on you and you have stated that you have not brought any of the records and giving a reason. Under section 2 or paragraph 2 of that subpoena, it is provided:

Excerpts from the minutes of all meetings of the American Committee for Protection of Foreign Born during the period January 1, 1953, to October 20, 1956, showing all action taken and all consideration given to proposals to revise, repeal, and influence the revision or repeal of the (a) Smith Act, (b) Internal Security Act, and (c) the Immigration and Nationality Act.

Did you bring the excerpts of the minutes mentioned in paragraph 2 of the subpoena duces tecum?

Mr. GREEN. In response to that, I would like to read you, Mr. Chairman, a very brief statement.

The CHAIRMAN. Answer the question.

Mr. FORER. This is his position on the subpoena.

The CHAIRMAN. Did you bring those excerpts of the minutes?

Mr. GREEN. As I stated in the opening of my testimony, the main problem I faced with respect to bringing any documents with me was the general wording of the second page of the subpoena.

The CHAIRMAN. Then the answer is that you did not bring the documents mentioned in paragraph 2 of the subpoena duces tecum.

Mr. GREEN. No; because in addition to that, it is my firm conviction that the demand for the production of these documents goes beyond the authority of the committee, and that this committee has no authority under its charter and is forbidden by the first amendment to inquire into private communications not addressed to Congress dealing with the influencing of public opinion for the repeal or revision of legislation. I understand so much is clear from the decisions of the United States Court of Appeals for the District of Columbia, and the Supreme Court of the United States in the Rumly case.

The CHAIRMAN. Now I direct you to produce the articles mentioned in the subpoena duces tecum on the second page.

Mr. GREEN. For the reasons stated, I cannot and refuse to produce them.

The CHAIRMAN. All right.

Mr. ARENS. Mr. Green, are you registered or have you ever been registered with the United States under the Lobbying Act?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Is the American Committee for Protection of Foreign Born presently registered under the Lobbying Act?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I lay before you reproductions of certain articles appearing in issues Nos. 77, 80, 85, and 92 of the Lamp, published according to its masthead by the American Committee for Protection of Foreign Born. These articles outline a program of political activity by the American Committee for Protection of Foreign Born calling upon the recipients to write their Congressmen and to participate in various conferences and organizations, all designed to cause the repeal or drastic amendment of the Immigration and Nationality Act. I invite your attention to these documents and ask you whether or not you set up the various conferences and directed the program alluded to in these publications?

(Documents marked "Exhibit No. 7a-d," see appendix, pp. 7094-7101.)

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Mr. Green, I invite your attention to an article appearing in the Daily Worker of July 21, 1954, under the byline of Abner Green, executive secretary, American Committee for Protection of Foreign Born, in which appears the following:

* * * All candidates for Congress should be visited in person by delegations from their own district for the purpose of getting a commitment, if possible, that, if elected, he will sponsor the Lehman-Celler bill or appropriate legislation to repeal or revise basically the Walter-McCarran law. * * *

I ask you if you were the author of that article.

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 8," see appendix, pp. 7101, 7102.)

Mr. ARENS. Do you know a person by the name of Tillie Carle?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Tillie Carle was a member and in charge of the Midwest Committee for Protection of Foreign Born; is that not correct?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Have you ever under oath identified Tillie Carle as a person known by you to be in charge of the Midwest office of the Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I invite your attention to a reproduction of an article appearing in the Lamp, more specifically, to certain committees alluded to as having been formed by the American Committee for Protection of Foreign Born, including the Michigan Committee for Protection of Foreign Born, the Freedom of the Press Committee Against Deportation, the Finnish American Freedom Committee, the Andrulis Defense Committee, the Podolski Defense Committee, the New York Chapter of the American Yugoslav Committee for Protection of Foreign Born, and others. I ask you if that is a true and

correct reproduction of the facts with reference to the creation of these committees?

Mr. FORER. I think you made a mistake. You said that this said the American Committee had established these other organizations.

Mr. ARENS. Let me ask him. Did the American Committee for Protection of Foreign Born establish these organizations?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Would you kindly look at the exhibit and tell us what knowledge you have of the creation of those organizations alluded to in the Lamp, the official publication of the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 9," see appendix, pp. 7102, 7103.)

Mr. ARENS. I lay before you, Mr. Green, a reproduction of an article appearing in issue No. 94 of the Lamp. It sets forth offices of subordinate units of the American Committee for Protection of Foreign Born, and I shall read this to you:

KNOW YOUR RIGHTS

Agents of the Justice Department are continuing their campaign of harassment of foreign-born Americans. Noncitizens and naturalized citizens in large numbers are being visited, stopped on the streets, or sent letters urging them to come to offices of I&NS on an "official" matter. * * *

The ACPFB recommends that any person having problems arising out of foreign birth should contact a capable immigration or civil-rights attorney, the ACPFB, or any of the offices listed below:

Pittsburgh: 806 Renshaw Building

Detroit: 920 Charlevoix Building

Chicago: 431 South Dearborn, room 325

Minneapolis: 302 Lumber Exchange Building

Seattle: 538 Second and Cherry Building

San Francisco: 948 Market Street, room 418

Los Angeles: 326 West Third Street, room 318

I ask you if you have knowledge of the existence of those offices alluded to in that exhibit?

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 10," see appendix, p. 7104, 7105.)

Mr. ARENS. I lay before you a photostatic copy of a leaflet respecting a mass protest rally held under the auspices of the Claudia Jones Defense Committee on February 29, 1948. I ask you whether or not this organization was created by the American Committee for Protection of Foreign Born.

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Who was Ferdinand Smith?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Ferdinand Smith was a member of the Communist conspiracy, was he not?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Who was Claudia Jones?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Claudia Jones was a member of the Communist conspiracy, was she not?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I observe in this leaflet which I lay before you that among the principals to take charge of the meeting were Richard B. Moore, Abner Green, executive secretary, American Committee for

Protection of Foreign Born; Bert Alves, Civil Rights Congress; Muriel Draper, executive vice president, the Congress of American Women. Were you in attendance, Mr. Green, at the rally held under the auspices of the Claudia Jones Defense Committee alluded to in this leaflet?

Mr. GREEN. I decline to answer for reasons previously stated.

(Document marked "Exhibit No. 11," see appendix, p. 7106.)

Mr. ARENS. Now, Mr. Green, have you ever been identified with the Freedom of the Press Committee Against Deportations?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. I lay before you a reproduction of an article entitled "An Attack on Freedom of the Press," under the auspices of the Freedom of the Press Committee Against Deportations, regarding deportation hysteria in connection with a number of persons against whom deportation proceedings have been instituted. I ask you whether or not you are identified with that organization?

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 12a, b," see appendix, pp. 7107-7109.)

The CHAIRMAN. What were the grounds for deportation of those people?

Mr. ARENS. In each instance we check very carefully. They are under the security provisions of the Immigration and Nationality Act. People were charged with being members of the Communist conspiracy.

The CHAIRMAN. And after a hearing it was determined that they were Communists?

Mr. ARENS. Pursuant to the provisions of the Immigration and Nationality Act they were all given due process.

The CHAIRMAN. Do you know how long they were in the United States?

Mr. ARENS. I would be unable at this moment to say, Mr. Chairman.

I lay before you, Mr. Green, a photostatic copy of an article published by the American Committee for Protection of Foreign Born reading as follows:

DEFENSE COMMITTEES

On May 2 the Northern California Committee for Protection of Foreign Born held a highly successful banquet honoring attorneys defending the rights of non-citizens and naturalized citizens in San Francisco and vicinity. Rev. Stephen Fritchman was the principal speaker. * * * The Michigan Committee for Protection of Foreign Born sponsored a conference to protect the citizenship of foreign born Americans in Detroit on June 13. * * * A Greater Miami, Fla., conference to repeal the Walter-McCarran law and defend its victims was held on June 16. * * * A Minnesota State conference to repeal the Walter-McCarran law and defend its victims was held in Minneapolis on June 20.

Kindly look at that article and tell us whether or not those conferences and those organizations alluded to in the article were organized, created, inspired or controlled by the Communist conspiracy?

(Witness consulted his counsel.)

Mr. GREEN. Not to my knowledge.

Mr. ARENS. Were they organized or controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Is the American Committee for Protection of Foreign Born in turn controlled by the Communist conspiracy?

(Witness consulted his counsel.)

Mr. GREEN. To the best of my knowledge, no.

Mr. ARENS. Are you a member of the Communist conspiracy?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Mr. Green, I lay before you a reproduction of a leaflet respecting a demand for the immediate release on bail of the four labor leaders held on Ellis Island. They are Ferdinand Smith, Charles Doyle, Gerhart Eisler, and John Williamson. They are described here, one as a labor secretary of the Communist Party; another as a German Communist refugee from Hitler, the other as a leader and secretary of the National Maritime Union, another as vice president of the United Chemical Workers CIO.

This demonstration was under the auspices of the Ferdinand Smith Defense Committee, Claudia Jones Defense Committee, Alex Bittelman Defense Committee, American Committee for Protection of Foreign Born, John Santo Defense Committee, Charles Doyle Defense Committee and the Civil Rights Congress. I ask you if you can tell this Committee on Un-American Activities if each of the organizations alluded to in that leaflet is under the discipline of the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 13," see appendix, p. 7110.)

Mr. ARENS. I lay before you a reproduction of an article appearing in Issue No. 58 of The Lamp, official publication of the American Committee for Protection of Foreign Born, setting forth a number of organizations engaged in the defense of the foreign born, as it is described here. It lists among others, the Finnish-American Freedom Committee, Freedom of the Press Committee against Deportation, an American-Yugoslav Committee for Protection of Foreign Born, a Vincent Andrus Defense Committee, a Northwest Committee for Protection of Foreign Born. I invite your attention to the article, and ask you if you have knowledge of the existence of those organizations, and if so, whether or not they were created, inspired and controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 14," see appendix, pp. 7111, 7112.)

Mr. ARENS. I invite your attention to a reproduction of an article entitled, "Organizational Developments in Fight Against Deportation," appearing in Issue No. 59 of The Lamp, the official publication of the American Committee for Protection of Foreign Born. It refers to the scheduling of a conference of Lithuanian-American organizations in Chicago in March 1950. Will you look at that item and tell us whether or not you have knowledge of the existence of those organizations and if so, whether or not those organizations were created and controlled by the American Committee for Protection of Foreign Born.

Mr. GREEN. I decline to answer for reasons previously stated. (See exhibit No. 9, appendix, pp. 7102, 7103.)

Mr. ARENS. I lay before you another reproduction of an article appearing in Issue No. 61, June-July 1950, of The Lamp, an official publication of the American Committee for Protection of Foreign Born, setting forth the organizational activities of the Committee for the Defense of Eulalia Figueiredo, the Committee for the Defense of Henry Podolski, the Pete Nelson Defense Committee of Everett, Wash., the American Yugoslav Committee for Protection of Foreign Born, the Sam Sweet Defense Committee, and others.

I ask you to look at that article and tell us whether or not you have knowledge of those organizations, and if so, whether or not those organizations were created and controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 15," see appendix, pp. 7112-7114.)

Mr. ARENS. Mr. Green, I lay before you a photostatic copy of a letter written on the letterhead of the New York Committee for the Protection of Foreign Born, signed by one Alec Jones, executive secretary. I ask you whether or not you have knowledge of the existence of that organization, and if so, whether or not it is controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 16," see appendix, p. 7115.)

Mr. ARENS. Mr. Green, I lay before you a reproduction of an article, entitled, "Organizational Activities," appearing in Issue No. 72 of The Lamp, in which are set forth three other organizations alluded to as active in the fight to destroy the immigration system. One is a New England Conference for Protection of Foreign Born. Another is Local 8, of the International Longshoremen's and Warehousemen's Union, Portland, Oreg., which has created a special trade-union committee and a third is the New York Trade Union Committee for Protection of Foreign Born.

I ask you, please, sir, to look at this document, and tell us whether or not you are conversant with the existence of the organizations alluded to, and if so, whether or not they were created and are controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I want to take exception to the statement that anyone seeks to destroy the immigration system in this country. In my opinion no such thing is true. In response to the question, I refuse to answer on the grounds previously stated.

(Document marked "Exhibit No. 17," see appendix, p. 7116.)

Mr. ARENS. Now, Mr. Green, I lay before you another reproduction of an article appearing in The Lamp, Issue No. 73, which sets forth the existence and report of organizational activities of several organizations. These include the New England Committee for Protection of Foreign Born, the Northern California Committee for Protection of Foreign Born, the Hungarian American Defense Committee, and the Provisional Minnesota Committee for Protection of Foreign Born.

Will you please, sir, look at this article and tell us if you have knowledge of the existence of those organizations, and if so, were they created and controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 18," see appendix, p. 7117.)

Mr. ARENS. I lay before you a photostatic copy of a document entitled "Report From Washington" dated July 5, 1955, issued by the American Committee for Protection of Foreign Born.

This report sets forth a statement by one James Glatiis, as a person who had testified or given information to the Department of Justice. According to this report, James Glatiis testified that he had attended the founding conference of the New England Committee for Protection of Foreign Born in Boston in 1950 and this report says:

The truth is that the New England Committee was not established until May 1952. Glatis manufactured testimony to fit the Justice Department's charges against the ACPFB.

Are you aware of the existence of that report from Washington and of that allusion to the testimony or statements of James Glatis?

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 19," see appendix, p. 7118.)

Mr. ARENS. This next exhibit, let the record show, is an exhibit dated July 5, 1955. It alludes to testimony which the exhibit claims is false, given in April 1950.

I again invite your attention, Mr. Green, to Issue No. 61 of The Lamp for June-July 1950 which appeared before the testimony of Mr. Glatis. In this issue of The Lamp, on page 2 we see reference to an organizational conference of the New England Committee for Protection of Foreign Born. In other words, the exhibit shows on its face, does it not, that the New England Committee for Protection of Foreign Born was in existence prior to the testimony of Mr. Glatis and therefore your attempt to discredit him had no basis.

Kindly look at that exhibit and tell us whether or not you are aware of the existence of that organization, and if it is, and has been controlled by the American Committee for Protection of Foreign Born.

Mr. GREEN. I decline to answer for reasons previously stated.

(See "Exhibit No. 15," appendix, pp. 7112-7114.)

Mr. ARENS. I lay before you a reproduction of page 3 of The Lamp, October-November 1951, and call your attention to an article, entitled "Yuditch Defense Committee." It states "a committee of representatives of rank and file members of trade unions has been organized for the defense of Paul Yuditch * * *." The speakers at the organizational meeting included Paul Novick, editor of the Morning Freiheit, Carol King, general counsel of the American Committee for Foreign Born, and others.

On this page of The Lamp appears another article which refers to 230 representatives of organizations who participated in a California conference under the auspices of the California CPFB, designed to amend or repeal the Immigration and Nationality Act.

A third item alludes to a Michigan conference of the CPFB held at the Dearborn Ford Local 600 auditorium. I ask you to look at that document and tell us whether or not you have knowledge of the existence of those organizations or conferences and if so, whether or not those organizations or conferences were created, inspired, organized and controlled by the American Committee for Protection of Foreign Born?

(Document marked "Exhibit No. 20," see appendix p. 7119.)

Mr. GREEN. I am sorry, I have to again take exception to the statement made by counsel for the committee seeking to impute some kind of questionable activity on efforts by Americans to revise or repeal legislation and laws of the United States Congress.

Mr. ARENS. Have you been engaged in activities designed to cause the revision or repeal of the Walter-McCarran Act? Are you a member of the Communist conspiracy?

Mr. GREEN. Will you let me answer the first question?

Mr. ARENS. Yes.

Mr. GREEN. The first question you asked I decline to answer for reasons previously stated.

Mr. ARENS. Do you feel that you would be giving information which might be used against you in a criminal proceeding if you should tell this committee of any efforts in which you may have been engaged to cause the repeal or revision of the Immigration and Nationality Act?

Mr. GREEN. It might.

Mr. ARENS. Then I direct your attention to the exhibit in which are set forth a number of organizations and I repeat the question, are those organizations under the control of the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for the previous reasons.

Mr. ARENS. Were they created by the American Committee for the Protection of Foreign Born?

Mr. GREEN. Will you let me answer the first question before you ask another?

Mr. ARENS. Yes.

Mr. GREEN. I decline for the reasons previously stated.

Mr. ARENS. Mr. Green, I lay before you a reproduction of page 3, issue No. 72, April-May 1952, of *The Lamp*, official publication of the American Committee for the Protection of Foreign Born. This page contains articles referring to the Juditz Defense Committee; the United Electrical, Radio, and Machine Workers; the Ohio Provisional Committee for Protection of Foreign Born; a New England Conference for Protection of Foreign Born; the establishment of a special trade union committee for the defense of John Fougere by Local 8 of the International Longshoremen's and Warehousemen's Union in Portland; the New York Trade Union Committee for Protection of Foreign Born summer program; also a Midwest Conference to Defend the Bill of Rights and for the Defense of Foreign Born.

I invite your attention to those various organizations, appearing on this exhibit, and ask you if you have knowledge of their existence and if so, were they created and controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

(See exhibit No. 17, appendix, p. 7116.)

Mr. ARENS. Now, in 1948, did the American Committee for Protection of Foreign Born have a national conference dealing with what it has termed "the rights of foreign born"?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I put it to you as a fact, that in that conference there were participants representing officially the American Slav Congress, the Civil Rights Congress, the Morning Freiheit, the Congress of American Women, the Chicago Council of Soviet-American Friendship, the Slovak Workers Society, the Nature Friends of America, the National Lawyers Guild, the International Workers Order, the Progressive Party, the Armenian Progressive League, the Jewish Peoples Fraternal Order, the Hungarian Brotherhood, the Finnish American Mutual Aid Society, the National Council of American-

Soviet Friendship, the American-Russian Fraternal Society, the Chicago Negro Labor Council, the Glos Ludowy, Narodni Glasnik, American Peace Crusade, the National Guardian, and others.

I ask you to affirm or deny the fact that in December of 1948 all of those organizations had a conference in Chicago for the purpose of discussing questions pertaining to the immigration laws?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. The record will show that each of those organizations has been cited as a Communist-controlled organization.

Mr. Green, I lay before you a reproduction of an article (The Lamp, issue 59, February-March 1950), the official publication of the American Committee for Protection of Foreign Born with reference to citywide councils for Protection of foreign born which have been established in New York, Cleveland, and Philadelphia. Citywide councils. I invite your attention to this publication and ask you whether or not you have knowledge of the existence of such citywide councils and if so, if they were created and controlled by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

(See exhibit No. 9, appendix, pp. 7102, 7103.)

Mr. ARENS. Now, I invite your attention to an article from (The Lamp, issue No. 78, June-August 1953, page 2) the official publication of the American Committee for Protection of Foreign Born. It sets forth defense activities, "Representatives of defense committees in seven States met in New York over the weekend of June 12th and developed a program of action for repeal of the Walter-McCarran law and defense of its victims."

Allusion is also made in this document to an organization called the Women's Committee to Free Katharine Hyndman. Still another reference to an organization, a new one called the American Polish Committee for Protection of Foreign Born in Detroit, and another committee, Local 37, ILWU Defense Committee.

I invite your attention to that document and ask you if you have knowledge of the existence of those organizations and if so, whether or not to your certain knowledge they were created and controlled by the American Committee for the Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

(Document marked "Exhibit No. 21," see appendix, p. 7120.)

Mr. ARENS. I invite your attention to still another document which is a reproduction of an article of The Lamp, the official publication of the American Committee for Protection of Foreign Born, in which is set forth reference to some more organizations including an East Bay Committee for Protection of Foreign Born, a Chicago Labor Defense Committee. I invite your attention to these organizations alluded to in this document and ask you whether or not you know of the existence of those organizations and if so, whether or not they were created and controlled by the American Committee for the Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I invite your attention to another document which is a reproduction (p. 3, The Lamp, issue No. 66, April-May 1951) of an official publication of the American Committee for Protection of

Foreign Born in which reference is made to the Committee for Defense of Four of Oregon's Foreign Born. I ask you whether or not you have knowledge of the existence of that organization and if so, if it is controlled and created by the American Committee for the Protection of Foreign Born?

(Document marked "Exhibit No. 22," see appendix, p. 7121.)

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I lay before you still another document, which is a reproduction of an article appearing in The Lamp, which sets forth references to the Committee for the Freedom of Martin Young. Also, a Northern California Committee for Protection of Foreign Born under the direction of Mrs. Irving Partridge, an LACFPB Defense Committee, and Antonia Sentner Defense Committee, St. Louis, Mo.

I ask you to look at that article and tell us whether or not you have knowledge of the existence of those organizations and if so, whether or not they were created and controlled by the American Committee for the Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I invite your attention to a reproduction of page 2 of the New York Beacon, issued by the New York Committee for Protection of Foreign Born, in which reference is made to a number of organizations and literature available with regard to the Immigration and Nationality Act. There are six of these organizations. One, the Yugoslav Committee, another the Greek Committee, another the Ukrainian Committee, another the Finnish Committee, another the Rose Nelson Committee, and another the Sons and Daughters Committee, which has a squib in here urging the sons and daughters to write their Congressmen for repeal of the Immigration and Nationality Act.

I ask you whether or not you have knowledge of the existence of those organizations alluded to in the Beacon and if so, whether or not they are controlled and were created by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

(Document marked "Exhibit No. 23a-d," see appendix, pp. 7122-7125.)

Mr. ARENS. I lay before you, Mr. Green, a photostatic copy of a pamphlet entitled, "The Deportation Drive Versus the Bill of Rights—The McCarran Act and the Foreign Born," which is issued by the American Committee for Protection of Foreign Born and ask you whether or not you were the author of that particular article?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I lay before you a booklet entitled "The Walter-McCarran Law, Police State Terror Against Foreign-Born Americans," by Abner Green, and ask you whether or not you are the author of that booklet?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. SCHERER. I ask that you direct the witness to answer the question.

The CHAIRMAN. I direct you to answer the question whether or not you are the author of that pamphlet.

Mr. GREEN. I refuse to answer for reasons previously stated.

Mr. ARENS. I lay before you another pamphlet entitled "In the Shadow of Liberty," and ask you if you are the author of that?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. SCHERER. Do you feel that if you answered the question it might tend to incriminate you?

Mr. GREEN. It might, sir.

Mr. SCHERER. You honestly believe that if you answered the question whether or not you are the author of this particular publication the chairman has, it might tend to incriminate you?

Mr. GREEN. It might waive my rights under the fifth amendment.

The CHAIRMAN. Let me point out something to you in this booklet, whether you wrote it or not. This is a tear jerker, about an immigrant, who came here 51 years ago. He thought so little of America that in 51 years he didn't bother to become a citizen. That is true in every one of these cases in this booklet. Mr. Arens, have you found in your research a single case of where this organization has interceded on behalf of anybody other than aliens who face deportation because they are Communists?

Mr. ARENS. No, sir, I have not.

Mr. Green, what is the National Women's Appeal, or what was the National Women's Appeal?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. The National Women's Appeal was another nationwide organization created by the American Committee for Protection of Foreign Born in which they undertook to dupe women in support of the program of the American Committee for Protection of Foreign Born to emasculate the immigration system; is that correct?

Mr. GREEN. Is what correct?

Mr. ARENS. Was this National Women's Appeal created by the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for previously stated reasons.

Mr. ARENS. I show you a check payable to the National Women's Appeal for \$25, signed by one Uta Hagen. On the back we see it is endorsed by the National Women's Appeal and below that, still another endorsement, the American Committee for Protection of Foreign Born. I lay that check before you and ask you if that refreshes your recollection with reference to any interlocking financial arrangements between the American Committee for Protection of Foreign Born and the National Women's Appeal?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 24," see appendix, p. 7126.)

Mr. ARENS. I lay before you still another document, The Deportation Terror, a Weapon to Gag America, by Abner Green, 5 cents, published by the American Committee for Protection of Foreign Born, national offices, 23 West 26th Street, New York 10, N. Y. I ask you whether you are the author of that document.

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. SCHERER. Do you honestly believe that the answer to that question might tend to incriminate you?

Mr. GREEN. Yes, sir.

Mr. SCHERER. It might tend to?

Mr. GREEN. It might.

Mr. SCHERER. Then we can draw no other conclusions than that there were some criminal activities involved in this effort.

Mr. ARENS. I lay before you another document, entitled "Victims of the Walter-McCarran Law and How They Are Defended," issued

by the Los Angeles Committee for Protection of Foreign Born, in which is set forth the program of the fourth annual conference to repeal the Walter-McCarran law and defend its victims (February 27-28, 1954) and number of people who are going to speak on how they are going to defend the victims of the Walter-McCarran law. It lists a legal panel, a trade-union panel, a Mexican panel, women and the family panel, a cultural panel, and other panels. The delegates are to be greeted and heard according to this by a person identified here by the name of Abner Green, executive secretary of the American Committee for Protection of Foreign Born.

I lay that before you and ask you whether or not you attended that conference and whether or not you were the one that did the speaking to the conference.

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. Do you know a lady by the name of Lillian Doran?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. I lay before you a photostatic copy of a letter dated June 26, 1952, which has been identified in an executive session. It is from Abner Green, just signed "Abner," and addressed to Lillian Doran in Los Angeles, with reference to certain activities in defense of the foreign born and certain condemnations of stool pigeons. I ask you if you would kindly identify that signature as your signature?

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 25," see appendix, p. 7127.)

Mr. ARENS. I lay before you another letter from Abner Green, executive secretary, ACPFB, to one Rose Rosenberg in Los Angeles. This letter has been identified in executive session before the committee. It refers to bail for certain persons who were up for deportation and reference to certain legal proceedings, and I ask you whether or not you would kindly identify that letter.

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 26," see appendix, p. 7127.)

Mr. ARENS. I lay before you another exhibit which I should like to read. Before doing so I would like to ask you if you know a man by the name of Bishop Walter A. Mitchell?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. This is a letter dated December 1, 1955, "Dear Rose"—signed "Abner—Abner Green, executive secretary," on the letterhead of the American Committee for Protection of Foreign Born.

DEAR ROSE: Could you please send us a biography of Bishop Mitchell, which I imagine you must have.

I discussed with Joe Forer preparations for our defense this week (the Justice Department rested its "case" on Tuesday) and it is important, from the way Joe puts it, to have Mitchell down for live testimony rather than by deposition.

Mitchell can testify about the work and activities of the LA committee since he is an officer. He could discuss your program, conference, meeting, banquet.

It Mitchell is to testify in person, we would want to have copies of all communications sent out over his signature, proceedings of conferences he attended, a résumé of meetings at which he spoke. (We would want five copies of each piece.)

One other special thing Mitchell could do—he can be asked how come he is honorary chairman of an organization of which the director is Rose Chernin. (They put in a copy of your conviction from the court record as evidence on Tuesday.) I am certain that Mitchell would make the kind of speech at that point that would be necessary in the record.

I lay that before you and ask you to identify it for the committee.

Mr. GREEN. I decline to answer the question.

(Document marked "Exhibit No. 27," see appendix, p. 7128.)

Mr. ARENS. Was Bishop Mitchell alluded to in this letter of December 1, 1955, a person who was a member of the Communist Party or who was a person who was not a member of the Communist Party, who was being used by the Communist Party?

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. Do you know Bishop Mitchell?

Mr. GREEN. I decline to answer for the reasons previously stated.

The CHAIRMAN. I direct you to answer the question whether or not you know the bishop.

(Witness consults with his counsel.)

Mr. GREEN. I refuse for the reasons previously stated.

The CHAIRMAN. All right.

The committee will stand in recess until 2 o'clock.

(Thereupon, at 12:20 p. m., Monday, November 12, 1956, the committee recessed until 2 p. m., the same day.)

AFTERNOON SESSION—MONDAY, NOVEMBER 12, 1956

(Present at commencement of afternoon session: Representatives Moulder and Scherer.)

TESTIMONY OF ABNER GREEN—Resumed

Mr. ARENS. Mr. Green, will you kindly resume the stand.

Mr. Green, I lay before you a document published by the American Committee for Protection of Foreign Born, entitled, "Review of the Year 1950." I invite your attention specifically to the last page of the document, respecting income and disbursements of the American Committee for Protection of Foreign Born, the income indicated for the year 1950 as \$54,873.79, and the disbursements \$51,621.64. Would you kindly look at that document and tell us whether or not the itemization of expenditures of the American Committee for Protection of Foreign Born for that year is correct?

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 28a-d," see appendix, pp. 7129-7132.)

Mr. ARENS. I lay before you a document which is a reproduction of The Lamp (No. 76, January-February 1953) published by the American Committee for Protection of Foreign Born. I invite your attention to the last page of that document which sets forth a statement of income and disbursements for the year 1952, indicating a total income of better than \$48,000 and a total expenditure for that year of approximately \$45,000, and I ask you to kindly look at the last page of this document which I have just laid before you, and tell us whether or not that is a correct and accurate reproduction of the expenditures and income of the American Committee for Protection of Foreign Born for that year.

(Document marked "Exhibit No. 29a-d," see appendix, pp. 7133-7136.)

Mr. SCHERER. May I ask counsel a question? Does that report indicate the source of that income?

Mr. ARENS. No, sir; it does not.

Mr. SCHERER. Witness, how much of that money did you get from the Communist Party?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. Do you get any compensation directly or indirectly from the Communist Party?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. Do you get any compensation either directly or indirectly from any source across the ocean—that is, European sources? (Witness consulted his counsel.)

Mr. GREEN. Not that I know of.

Mr. SCHERER. Not that you know of? Do you mean by that that you may get it indirectly from across the waters through the Communist Party? Is that what you mean by that answer?

Mr. GREEN. I don't mean that.

Mr. SCHERER. What do you mean by that answer?

Mr. GREEN. Not to my knowledge do I get any funds for myself in the way of supporting myself, no.

Mr. MOULDER. In view of your response to his question, don't you think you should answer the question which was propounded as to the source of the funds?

Mr. GREEN. In response to counsel, sir, I would decline to answer on the grounds previously stated.

Mr. ARENS. Now, Mr. Green, could you tell us who is Carl Reinstein?

Mr. GREEN. I decline to answer on the ground previously stated.

Mr. ARENS. In answer to the query posed by Representative Scherer, may I invite your attention to a photostatic copy of a bank account agreement and signature arrangement of the Communist Party, United States of America, on which appears the signature of Carl Reinstein, on behalf of the Communist Party. I ask you whether or not that to your knowledge is the signature of Carl Reinstein, and whether or not he is to your knowledge a member of the Communist conspiracy?

Mr. GREEN. I decline to answer on the grounds previously stated.

(Document marked "Exhibit No. 30," see appendix, p. 7137.)

Mr. FORER. I would like to object to that, as the chairman said I could, because that doesn't indicate anything about the American Committee for the Protection of Foreign Born.

Mr. ARENS. That will come in the next exhibit, Counsel, if you will wait a minute.

I lay before Mr. Green a photostatic copy of a check payable to the American Committee for Protection of Foreign Born, signed by Carl Reinstein, with the designation "Communist Party, United States of America." I ask you whether or not that photostatic copy is a true and correct reproduction of a check made payable to the American Committee for Protection of Foreign Born from Reinstein on behalf of the Communist Party?

(Witness consulted his counsel.)

Mr. FORER. You asked a question?

Mr. ARENS. Yes, there is a question outstanding.

Mr. GREEN. I decline to answer for the reasons previously stated.

(Document marked "Exhibit No. 31," see appendix, p. 7138.)

Mr. ARENS. I invite your attention, if you please, Mr. Green, to a letter dated May 7, 1943, of the Civil Rights Congress, with reference

to the Mundt bill, H. R. 5352. Attached to this letter is an open letter to Congress with a number of names of persons who joined according to the body of the letter, in urging the recipient of the letter to write to his Congressman to defeat the Mundt bill.

I ask you if you would kindly examine that exhibit and tell us whether or not you participated by either your signature or your name in the drive of the Civil Rights Congress against the Mundt bill.

(Document marked "Exhibit No. 32a-c," see appendix, pp. 7139-7141.)

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Has the Civil Rights Congress to your knowledge actually registered under the Lobbying Act, do you know?

Mr. GREEN. I don't know.

Mr. ARENS. Have you ever registered under the Lobbying Act?

Mr. GREEN. I decline to answer on the ground previously stated.

Mr. SCHERER. I ask that you direct the witness to answer. How could it possibly incriminate him whether he has registered or not.

Mr. MOULDER. The witness is directed to answer the question.

Mr. GREEN. I decline for the reasons previously stated.

Mr. MOULDER. My curiosity is aroused but I cannot understand how you respond to the question of receipts of overseas money by saying "not that I know of" and you still decline to answer the question concerning all moneys here in America.

Mr. FORER. I don't think we understand the question, Mr. Chairman.

Mr. MOULDER. The question was asked by Congressman Scherer—

Mr. FORER. Did he get any money abroad, and he said not that he knows of.

Mr. MOULDER. He refuses to answer the other question concerning the moneys in this country.

Mr. FORER. They are different questions.

Mr. MOULDER. They definitely are different questions. I cannot understand how he tries to defend his organization by saying, "We received no moneys overseas."

Mr. FORER. He didn't try to defend it. He just tried to answer the question.

Mr. MOULDER. It appears as though it was a completely un-American project indirectly. That is what it amounts to.

Mr. FORER. I think you are drawing implications from answers and refusals to answer that don't belong.

Mr. SCHERER. He means he doesn't know whether or not this money he got from the Communist Party came from Russia.

Mr. FORER. That is not fair for you to say what he means.

Mr. SCHERER. I think I can comment. I think that is a reasonable inference that you can draw from his testimony.

Mr. FORER. I don't think it is, Mr. Scherer. If it is a reasonable inference, let Mr. Moulder draw his own inference. Don't you say what he means.

Mr. MOULDER. I am not drawing inferences. I was trying to bring it out on the board and make a clean statement of it. That is the American way of doing it.

Mr. ARENS. This is a letter from the American Committee for Protection of Foreign Born: "Dear Rose," with the typewritten

signature of Abner Green, executive secretary, and ask you whether or not you wrote that letter.

Mr. SCHERER. What is the date of that letter, counsel?

Mr. FORER. July 30, 1953.

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. FORER. I would like to object to this going into evidence, because this looks to me like it must be the interception of some private correspondence.

Mr. ARENS. Is this your signature on here, "A-b-n-e-r"?

Mr. FORER. Could I have some rulings on these objections?

Mr. MOULDER. I don't know about the private correspondence. It is not confidential because it is private. If it is between husband and wife or a sort of confession—

Mr. FORER. When he gets private correspondence, it may have been obtained in an illegal manner.

Mr. ARENS. May I suggest that the sole and exclusive responsibility of the counsel is to advise the witness—

Mr. FORER. Except Chairman Walter said I could object to the introduction of exhibits.

Mr. MOULDER. Of course, you can object. May I see the document?

(Mr. Arens hands document to chairman.)

Mr. SCHERER. If he denies that is his signature—

Mr. FORER. He didn't deny it.

Mr. SCHERER. If he denies it, I will agree it should not go in the record. He has taken the fifth amendment. He doesn't deny that is his signature.

Mr. FORER. There are laws against intercepting mail and this prima facie appears to have been acquired in violation of that law.

Mr. SCHERER. That is an inference on your part.

Mr. FORER. That is right.

Mr. SCHERER. I don't know how we got it, but it was a good thing we got it.

Mr. FORER. Good thing. There is nothing to it.

Mr. ARENS. Mr. Green, you expect to be paid for your testimony here today or receive your witness fee?

Mr. GREEN. I was told I would be.

Mr. ARENS. As a prerequisite to receiving your witness fee, it is necessary to sign a voucher of the House of Representatives. I ask you here and now in the presence of this committee to sign your name to this document which is the voucher which will be filled out for your witness fee.

Mr. GREEN. And I will get the money on the basis of this signature?

Mr. ARENS. You will receive your witness fee.

Mr. GREEN. Where do I sign it?

Mr. FORER. I will show you, "Payee."

(Witness signs document.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that this part of the voucher which he has just signed for his pay be incorporated in this record so that signature may be compared with the signatures of other documents being displayed to the witness.

Mr. FORER. After he gets his pay on it.

Mr. MOULDER. The document referred to by counsel as requested will be made a part of the record.

(Document marked "Exhibit No. 33," see appendix, p. 7142.)

Mr. ARENS. I lay before you an original document which is dated January 4, 1955, addressed to "Dear Evelyn," signed "Abner," with the typewritten notation "Abner Green, executive secretary," and ask you if you will kindly identify that document and identify your signature.

Mr. GREEN. I decline to answer for the reasons previously stated. (Document marked "Exhibit No. 34," see appendix, p. 7143.)

Mr. FORER. Same objection.

Mr. ARENS. Who was the "Evelyn" whose name appears in this letter?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. SCHERER. I move that the exhibit that counsel for the witness has objected to be admitted in evidence.

Mr. MOULDER. I understand it was a blank voucher.

Mr. SCHERER. But he has objected to it, and there is nothing in the record showing we are overruling his objection.

Mr. MOULDER. Therefore, his objection will be overruled.

Mr. ARENS. Is the "Evelyn" Evelyn Abelson, of the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer for reasons previously stated.

Mr. ARENS. A document entitled, "A Union Leader Framed, the Story of Charles A. Doyle," published by the American Committee for Protection of Foreign Born. I show it to you and ask if you would kindly identify that document.

(Document marked "Exhibit No. 35a-d," see appendix, pp. 7144-7147.)

Mr. GREEN. I decline for the reasons previously stated.

Mr. MOULDER. When you say "the reasons previously stated," in order to keep the record clear, were they one concise reason or were they several reasons?

Mr. GREEN. They were primarily that the committee has no authority to go into this matter, and that the question or this attempt to secure my identification of the document is an invasion of my rights under the first amendment, and my privilege under the fifth amendment, not to be a witness against myself.

Mr. ARENS. Thus far on this record we have been directing your attention to a number of organizations and conferences which, according to the exhibits, were written up in the publications of the American Committee for Protection of Foreign Born. I invite your attention, Mr. Green, to a photostatic copy of an article in the Daily Worker of New York, Monday, February 11, 1952, entitled, "Farm Union Asks Peace and Parity," in which there was, according to the article, a 2-day meeting of the Farmers Union eastern division, and one of the speakers is listed here as Abner Green, who is reporting on his committee's work.

I ask you if you will kindly tell this committee whether or not the recitations in there concerning the meeting are true and correct?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. MOULDER. May I have the record show that the witness merely glanced at the document or the exhibit that you referred to, and immediately answered without examining it.

Mr. GREEN. I think for the record, too, there was a certain part of that exhibit which is read and selected out for special attention which I did see and my response went on the basis of that identification within the record of special material which was drawn to my attention. I did not have to read the entire thing in order to make up my mind how I would respond to the question.

Mr. SCHERER. I don't think that this witness is going to answer any questions. He has invoked the fifth amendment to practically every question asked.

Mr. ARENS. Mr. Green, are you now a member of the Communist Party?

Mr. GREEN. I decline for all of the reasons previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that in the presence of this witness another witness be sworn.

Mr. John Lautner, would you kindly come forward? Would you raise your hand while the chairman administers the oath to you?

Mr. MOULDER. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUTNER. I do.

TESTIMONY OF JOHN LAUTNER

Mr. ARENS. Would you kindly identify yourself by name, residence, and occupation?

Mr. LAUTNER. My name is John Lautner, self-employed. I reside in Cleveland, Ohio, at the present time.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. LAUTNER. Yes.

Mr. ARENS. Over what period of time were you a member of the Communist Party?

Mr. LAUTNER. From 1929 up to January 1950.

Mr. ARENS. Give us, if you please, sir, just a brief thumbnail sketch of your career in the Communist Party with particular reference to the posts or activities which you held or in which you engaged.

Mr. LAUTNER. A few months after joining the Communist Party I was sent to a national training school of the Communist Party. Upon graduation from this training school in June 1930, I was sent as district secretary of the Hungarian National Bureau of the Communist Party to Michigan. After functioning there for about 7 or 8 months, in addition to that, I was appointed to the District Control Commission of the Communist Party in Michigan.

In May 1931, I was assigned to Canada. I functioned in Canada for about 11 months. Upon return from Canada, I was assigned to Cleveland, Ohio, as district secretary of the Hungarian National Bureau of the Communist Party, and as one of the editors of the Hungarian daily Communist paper there. I functioned there till the end of 1932. I was reassigned to New York.

For a while I functioned there on the district language department of the Communist Party in New York City. In 1933, in the fall, I became a section organizer of the Communist Party in New York City. I functioned in that capacity to April 1936. I was appointed State secretary or district organizer of the Communist Party in the State of West Virginia.

I functioned in that capacity from April 1936 to the end of 1940. Beginning with 1941, I was sent to the national training school of the Communist Party. After graduation I was assigned to the Nationality Groups Commission of the Communist Party and national secretary of the Hungarian Bureau of the Communist Party. I functioned in these capacities until November 1942.

I was drafted into the Army in 1942, in November. I was discharged from the Army in June 1945. I resumed my functions on the nationality groups commission of the Communist Party and national secretary of the Hungarian bureau.

In 1946, I was reassigned to organize the Communist Party membership in the building trades in New York City. I functioned in that capacity until about March 1947. For about 2 months I was sent down to the New York waterfront as a party organizer.

Mr. SCHERER. When you say you were sent, who sent you?

Mr. LAUTNER. The Communist Party. I functioned on the waterfront for a number of months and then was appointed chairman of the New York State Review Commission of the Communist Party.

I functioned in that capacity until the 17th of January 1950. In addition to being head of the New York State Review Commission, also I was appointed in September 1948 a member of the National Review Commission of the Communist Party. These were the functions that I held.

In addition to that, I attended national committee meetings or central committee meetings of the Communist Party in the years 1936, 1937, 1938, 1939, 1940, 1941 and 1942, and attended the national conventions of the Communist Party in 1936, 1938, two conventions in 1940, in 1942, 1945, and 1948.

Mr. ARENS. Mr. Lautner, we expect to examine you further with reference to certain factual material, but for the present I should like to ask you if, during the course of your career in the Communist Party, you knew a person by the name of Abner Green.

Mr. LAUTNER. Yes.

Mr. ARENS. Do you see that person in this hearing room today?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you kindly point out to the committee that person whom you knew in the Communist Party as Abner Green.

Mr. LAUTNER. He is sitting at the table right here.

Mr. ARENS. Is he the man who has just been testifying?

Mr. LAUTNER. That is right.

Mr. ARENS. Would you kindly point him out to the committee?

Mr. LAUTNER. He is sitting at the table.

TESTIMONY OF ABNER GREEN—Resumed

Mr. ARENS. Mr. Green, you have just heard Mr. Lautner testify under oath that while he was a member of the Communist Party he knew you as a Communist. Was Mr. Lautner lying or was he telling the truth?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. ARENS. Do you know Mr. Lautner?

Mr. GREEN. I decline to answer for the reasons previously stated.

Mr. SCHERER. May I interrupt just a minute, Counsel, and Mr. Chairman? You heard Archibald Roosevelt testify this morning.

Did Mr. Roosevelt tell the truth insofar as his testimony pertained to you?

Mr. GREEN. I am sorry. I am waiting to get the record of the hearings. I could not very well hear the things Mr. Roosevelt was speaking of. The things that I did hear, I don't think he knew what he was talking about.

Mr. SCHERER. Was he telling the truth or was he telling an untruth as far as the things that you heard are concerned?

Mr. GREEN. He was telling a very fanciful fantastic story which this committee decided to listen to. I had nothing to do with that, sir.

Mr. SCHERER. Did you hear any of his testimony insofar as it concerned you?

Mr. GREEN. I heard my name mentioned.

Mr. SCHERER. Did you hear his testimony with reference to you?

Mr. GREEN. No.

Mr. SCHERER. What part of his testimony that referred to you did you hear?

Mr. GREEN. Principally the attempt to impress the committee with some idea that there are people in the country who are seeking to destroy the immigration laws of the United States.

Mr. SCHERER. When he referred to you as a Communist, was he telling the truth or not?

Mr. GREEN. I am sorry, I didn't hear him refer to me as a Communist.

Mr. SCHERER. If I tell you that he referred to you as a Communist, was he telling the truth?

Mr. GREEN. I would decline to answer that question on the grounds previously stated.

Mr. SCHERER. In what respect did Colonel Roosevelt not tell the truth?

Mr. GREEN. I didn't say he didn't tell the truth.

Mr. SCHERER. You said it was fanciful. I understand fanciful to mean not true. It is in the realm of fancy.

Mr. GREEN. Not necessarily a false statement in the sense as far as he was concerned. I didn't say he deliberately lied to this committee. I didn't accuse him of that.

Mr. SCHERER. I didn't hear your answer.

Mr. GREEN. I didn't say Mr. Roosevelt sat here and deliberately lied to this committee. I just believed he was incorrect.

Mr. SCHERER. What part of his testimony that you heard was incorrect?

Mr. GREEN. The attempt to impress the committee with some idea that there are people seeking to destroy the immigration laws of the United States.

Mr. SCHERER. You mean that there are no such people?

Mr. GREEN. To the best of my knowledge there are not any such people.

Mr. SCHERER. You mean the Communist Party is not interested in destroying at least part of our immigration law?

Mr. GREEN. To the best of my knowledge, I would say "No."

Mr. SCHERER. How do you know?

Mr. GREEN. I would refuse to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, so there would be no question in this record, I would like to pose a question to Mr. Lautner, and suggest that he be temporarily excused, and be recalled later on.

Mr. LAUTNER, do you here and now under oath identify the person seated across from you there, Mr. Abner Green, as a person who, to your certain knowledge was a member of the Communist conspiracy?

Mr. LAUTNER. Yes; he was a member of the Communist Party up until the time I left the Communist Party.

Mr. SCHERER. When was that?

Mr. LAUTNER. On the 17th of January 1950.

Mr. SCHERER. After the Korean conflict, did you get out of the Communist Party? Witness, I am talking to you.

(Witness Green consults with his counsel.)

Mr. GREEN. That happens to be in the nature of a rather loaded question.

Mr. SCHERER. Answer the loaded question, if you call it a loaded question.

(Witness Green consults his counsel.)

Mr. GREEN. I refuse to answer the question for the reason that it is loaded, and also for the reasons stated before.

Mr. SCHERER. Did you remain in the Communist Party after the desanctification of Stalin?

Mr. GREEN. I refuse to answer that question—

Mr. SCHERER. Did you remain in the Communist Party—

Mr. GREEN. Mr. Congressman, would you mind if I answer the question. Whatever it is, I will state the answer for the record.

Mr. SCHERER. You will state the fifth amendment?

Mr. GREEN. I am sorry if that happens to be the answer I will give. I would refuse to answer the last question on the ground it is loaded and also for the reasons stated previously.

Mr. SCHERER. Did you stay in the Communist Party after the recent atrocities performed by the Russians?

Mr. GREEN. I refuse on the ground stated previously.

Mr. SCHERER. Are you a member of the Communist Party today?

Mr. GREEN. I refuse to answer on the grounds stated previously.

Mr. ARENS. I lay before you a document entitled "Proposed Program of Action of the 20th Anniversary National Conference of the American Committee for Protection of Foreign Born, December 8 and 9, 1951." This proposed program of action calls for the establishment of a national committee for the protection of West Indian Americans. It calls for the establishment of a national committee for protection of Mexican Americans. It calls for a campaign to repeal the Smith and McCarran laws, and it calls for a campaign to visit Congressmen at home during the holiday season and it calls for the establishment of national trade union advisory committee.

Kindly look at that document and tell us whether or not that document is a true and correct reproduction of the program adopted by the conference held in Chicago of the American Committee for Protection of Foreign Born.

Mr. GREEN. I decline to answer for all the reasons previously stated. (Document marked "Exhibit III," see appendix, pp. 8303-8316.)

Mr. MOULDER. May we ask you this question. Were you there at the time referred to by counsel?

(Witness consulted his counsel.)

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Did the American Committee for Protection of Foreign Born at that conference on December 8 and 9, 1951, decide to establish these various committees and organizations, and to promote the solicitation of Congressmen alluded to in that document?

Mr. GREEN. I decline to answer for all the reasons previously stated.

Mr. ARENS. Now, I invite your attention to a document, "Midwest Conference To Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born. It is a letter addressed to "Dear Friend," signed Dr. Anton J. Carlson, with reference to certain activities of this Midwest Conference, and ask you if you would kindly look at that document and tell us whether or not you can identify that document?

Mr. GREEN. I decline on the grounds previously stated.

Mr. ARENS. Now, I invite your attention to a magazine entitled, "The March of Labor, Special Issue, Repeal the McCarran-Walter Act, 40 Million Americans Threatened."

Mr. SCHERER. Before you go any further, March of Labor has been identified by this committee as Communist?

Mr. ARENS. Yes. I ask you to kindly look at that special issue of March of Labor, and tell the committee what part, if any, you had in the preparation of that magazine.

Mr. GREEN. I decline to answer on the ground previously stated.

(Documents marked "Exhibit Nos. 36a-c," see appendix, pp. 7148-7150.)

Mr. SCHERER. Did we issue a report on the March of Labor?

Mr. ARENS. Yes, sir.

I lay before you still another document, signed by Abner Green, dated June 25, 1954, to area defense committees from the American Committee for Protection of Foreign Born, calling upon the area defense committees of the American Committee for Protection of Foreign Born to take certain action. I would ask you if you would kindly identify that document?

Mr. GREEN. I decline on the grounds previously stated.

Mr. ARENS. Mr. Green, I lay before you a photostatic copy of a letter of the Citizens Emergency Defense Conference in New York City, addressed to "Dear Friend," in which there appears a call for funds to defend the 13 New York Smith Act defendants, and for other action with reference to the Smith Act. On the letterhead appears the name of a person under the executive committee, identified here as Abner Green, and I ask you if you would kindly identify that letter for us?

Mr. GREEN. I decline to answer on the grounds previously stated.

(Document marked "Exhibit No. 37," see appendix, p. 7151.)

Mr. ARENS. I lay before you another document, a photostatic copy of a letter directed to the President of the United States, signed by a substantial number of people, with reference to the activities of the Department of Justice in ordering deported certain people under the provisions of the immigration laws, and ask you if you would kindly identify that document?

Mr. GREEN. I decline on the grounds previously stated.

(Document marked "Exhibit No. 38a, b," see appendix, pp. 7152, 7153.)

Mr. ARENS. Are you a member, or have you been identified with the organization recently created called the Conference for Legislation in the National Interest?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. I ask you to direct the witness to answer that question.

Mr. MOULDER. The witness is so directed.

Mr. GREEN. I decline on the grounds previously stated.

Mr. SCHERER. Witness, do you in good faith believe that the answer to the last question of counsel with reference to membership in this last organization would incriminate you?

Mr. GREEN. Yes, sir; it might.

Mr. SCHERER. What is the name of that organization?

Mr. ARENS. Conference for Legislation in the National Interest.

Mr. FORER. You issued a subpoena on it returnable today to the secretary of that organization.

Mr. SCHERER. We may have done that.

Mr. ARENS. Mr. Green, kindly tell us if you participated in the Conference for Legislation in the National Interest. I lay before you now an original document of some of the literature of that organization in which they call for the repeal of the Smith Act, repeal of the Subversive Activities Control Act, repeal of the Communist Control Act, and repeal of the Immigration and Nationality Act.

Kindly look at this material which has been identified in our executive session record, and tell this committee whether or not you are aware of the activities, and participated in the activities of this conference.

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Is the Conference for Legislation in the National Interest to your certain knowledge an organization created by the Communist Party?

(Witness consulted his counsel.)

Mr. GREEN. I have no knowledge as to whether it was so created.

Mr. SCHERER. Have any Communists participated in the creation of that organization?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Have you participated in the organization of that conference?

Mr. GREEN. I decline on the grounds previously stated.

Mr. ARENS. Is it controlled by the Communist Party?

(Witness consulted his counsel.)

Mr. GREEN. I have no knowledge of that.

Mr. ARENS. Have you participated in the work of that organization?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. ARENS. Did you prepare the document entitled "The Walter-McCarran Law Must Be Repealed," which was circulated by the Conference for Legislation in the National Interest?

Mr. GREEN. I have already seen it. I decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. SCHERER. Is that committee engaged in any illegal activity that you know of?

(Witness consulted his counsel.)

Mr. GREEN. Not that I know of.

Mr. SCHERER. How could your answering then with reference to membership or activities in connection with that committee possibly incriminate you?

Mr. GREEN. I decline to answer that on the grounds previously stated.

Mr. ARENS. I have no further questions of this witness.

Mr. SCHERER. I don't believe counsel at the beginning of your testimony this morning asked when and where you were born.

Mr. GREEN. I was born in New York City on April 15, 1913.

Mr. SCHERER. Have you lived in New York City all your life?

Mr. GREEN. Yes; just about. I think I was absent possibly some months in early 1940 when I was here in Washington, D. C.

Mr. SCHERER. What name were you born under?

Mr. GREEN. Under the name of Abraham Greenberg.

Mr. SCHERER. Where did you live in Washington, D. C.?

Mr. GREEN. I don't recall now, sir.

Mr. SCHERER. Have you ever traveled abroad?

Mr. GREEN. No, sir. I was in Canada on one occasion.

Mr. SCHERER. Did you live with John Morasaka?

Mr. GREEN. I rented a room from a John Morasaka when I was here in Washington, D. C.

Mr. SCHERER. Was he a member of the American Committee for Protection of Foreign Born?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. Do you know whether he was a member of the Communist Party?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. I didn't ask you whether he was or was not. Do you have knowledge of the fact?

Mr. GREEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. I have no further questions.

Mr. MOULDER. May I ask you this question? Do you have any knowledge or information concerning any organized effort or personal effort on the part of any person which you would consider to be subversive or un-American or disloyal, or any concentrated effort personally or by organizations to overthrow our present form of government by force and violence?

Mr. GREEN. No, sir; I don't know of any.

Mr. ARENS. Are you a member now of an organization which is dedicated to the overthrow of the Government of the United States by force and violence?

Mr. GREEN. Not to my opinion, sir.

Mr. ARENS. Is the Communist Party dedicated to the overthrow of the Government by force and violence?

(Witness consulted his counsel.)

Mr. GREEN. Not that I know of; no.

Mr. ARENS. We have no further questions.

Mr. SCHERER. What was that last question to which he answered "Not that he knows of"?

Mr. FORER. That was not the last question. That was the last answer.

Mr. SCHERER. That is what I meant, not that he knows of. What was the question? Would you repeat that?

Mr. ARENS. The question was, "Is the Communist Party dedicated to the overthrow of the Government by force and violence?"

Mr. SCHERER. And his answer was "Not that he knows of."

Mr. ARENS. Yes, sir.

Mr. SCHERER. I have nothing further.

Mr. MOULDER. I will ask this: May we change the question to say, in your opinion, is the Communist Party dedicated to the proposition of changing our form of government to the present form of government existing in the Soviet Union?

Mr. GREEN. In my opinion, I would say "No," that is not so.

Mr. ARENS. One parting question. Are you a Marxist?

Mr. FORER. What kind of question is that?

Mr. GREEN. I decline to answer on the ground previously stated.

Mr. FORER. How do you know what that means?

Mr. MOULDER. The witness is excused. You have made your claim for witness fees.

(Witness excused.)

Mr. ARENS. The next witness is Harriet Barron. Please remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BARRON. I do.

TESTIMONY OF MRS. HARRIET BARRON, ACCOMPANIED BY JOSEPH FORER, COUNSEL

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. BARRON. My name is Harriet Barron. I live at 18 West 30th Street, New York City. As to my occupation, I decline to answer on the grounds that this inquiry violates the first amendment and also on the basis of my privilege under the fifth amendment not to be a witness against myself.

Mr. MOULDER. As to your occupation?

Mrs. BARRON. Yes, sir.

Mr. ARENS. How long have you been engaged in your present occupation?

Mrs. BARRON. I decline to answer on the basis just stated.

Mr. ARENS. I lay before you now a photostatic copy of an article appearing in the New York Times of May 15, 1949, in which appears an article respecting a drive against the North Atlantic Pact and the Wall Street program of war, which, according to the article, was addressed by a person by the name of Harriet Barron, identified here as of the American Committee for Protection of Foreign Born. I ask you kindly to look at that article and ask you whether or not you are the person so identified?

Mrs. BARRON. I decline to answer on the basis just stated.

Mr. MOULDER. That is the person referred to in the document just mentioned is the way the question was directed?

Mr. ARENS. Yes.

Mr. MOULDER. She declines to answer.

Mrs. BARRON. For the reason I previously stated. Would you like it repeated?

Mr. MOULDER. I wish you would, because it is not clear.

Mrs. BARRON. I decline to answer on the ground that this inquiry violates the first amendment and also on the basis of my privilege under the fifth amendment not to be a witness against myself.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. BARRON. Mrs.

Mr. ARENS. Mrs. Barron, have you been active in the course of your life in public affairs?

Mrs. BARRON. I decline to answer on the basis just stated.

Mr. ARENS. Have all of your activities in public affairs been of such a nature that if you would tell this committee about them, you would be supplying information which might be used against you in a criminal proceeding?

(Witness consulted her counsel.)

Mrs. BARRON. I don't understand that question.

Mr. ARENS. Are there any activities in which you have been engaged in your life of a public nature that you can tell this committee about without supplying information that could be used against you in a criminal proceeding?

Mrs. BARRON. I decline to answer that on the basis stated.

Mr. ARENS. I lay before you a document which is a reproduction of an organizational report which has been identified in executive session before our committee. Harriet Barron is shown as administrative secretary of the American Committee for Protection of Foreign Born, making a report to the Chicago Conference of Deportee Defense Committees, June 9 and 10, 1951. I ask if you are the Harriet Barron alluded to in this report, and if this report is a true and correct presentation of the report submitted by Harriet Barron at that conference?

Mrs. BARRON. I shall have to decline to answer on the same basis I have stated.

(Document marked "Exhibit No. 39 a-c," see appendix, pp. 7154-7156.)

Mr. ARENS. I put it to you now, ma'am, as a fact and ask you to affirm or deny the fact that you were the administrative secretary at the time of the Chicago conference under the auspices of the American Committee for Protection of Foreign Born.

Mrs. BARRON. I shall have to decline to answer that question on the same basis.

Mr. MOULDER. May I say the witness should be directed to answer the question for the reason that you come on the witness stand and immediately decline to answer, claiming the privilege of the fifth amendment without first taking into consideration that the committee is trying to investigate the subject. You refuse to answer any questions. I can't understand your attitude. Is it because of your complete contempt of the committee and its purposes that you start out by refusing to answer any question, or is it because you feel it truly would incriminate you to answer questions?

Mrs. BARRON. I feel it would incriminate me to answer questions.

Mr. ARENS. Where were you born, Mrs. Barron?

Mrs. BARRON. New York City.

Mr. ARENS. And kindly give us a word of your personal education. Where did you go to school?

Mrs. BARRON. It is a long time ago.

Mr. ARENS. Just the highlights of your education. Did you go to high school in New York City?

Mrs. BARRON. Yes, sir; I did.

Mr. ARENS. Did you go to college some place?

Mrs. BARRON. No; I did not, except for evening courses at City College of the City of New York.

Mr. ARENS. When did you complete your formal education?

Mrs. BARRON. When?

Mr. ARENS. Yes.

Mrs. BARRON. I am old. I forget dates.

Mr. ARENS. I don't want this record to reflect in any case we have an aged person here. I would have to take issue with you on the basis of your appearance.

Mrs. BARRON. Thank you, sir. I guess I must have graduated from high school in 1918.

Mr. ARENS. How did you receive your subpoena which orders your appearance before this committee?

(Witness consulted her counsel.)

Mrs. BARRON. I decline to answer for the reason I stated above.

Mr. ARENS. Your subpoena was transmitted to you by Alec Jones, secretary of the New York Committee for Protection of Foreign Born; is that not correct?

Mrs. BARRON. I decline to answer on the basis stated before.

Mr. ARENS. Do you know Alec Jones?

Mrs. BARRON. I decline to answer on the basis stated before.

Mr. ARENS. What was your first employment after you completed your formal education?

Mrs. BARRON. I am sorry; 1918 is a long time ago, and I haven't reviewed the history of my life for a long time.

Mr. ARENS. Let us try it another way. How long have you had your present post? How long have you been engaged in your present office or position?

Mrs. BARRON. I decline to answer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, she be ordered to answer that question.

Mr. MOULDER. The witness is directed to answer, not in the spirit of threatening you, but to advise you of the danger you might be taking in not responding to the question in that you might be cited for contempt. It is our duty to advise you of that possibility.

Mrs. BARRON. I understand that, sir, but I am afraid I shall have to decline on the basis I previously stated.

Mr. ARENS. What post did you occupy immediately prior to the post or position which you now have?

(Witness consulted her counsel.)

Mrs. BARRON. I don't remember these things. I haven't made a survey. I haven't written my autobiography yet.

Mr. SCHERER. Were you ever employed by the Communist Party?

(Witness consulted her counsel.)

Mrs. BARRON. No.

Mr. SCHIERER. I asked you whether or not you were ever employed by the Communist Party and was your answer "No"?

Mrs. BARRON. That is right.

Mr. SCHIERER. Were you ever a member of the Communist Party?

Mrs. BARRON. I decline to answer on the basis stated previously.

Mr. SCHIERER. Are you a member of the Communist Party today?

Mrs. BARRON. I decline to answer on the basis stated previously.

Mr. ARENS. Do you know Abner Green, the gentleman who preceded you on the witness stand?

Mrs. BARRON. I shall have to decline to answer that question on the same basis.

Mr. ARENS. Do you know John Lautner?

Mrs. BARRON. I decline to answer that on the basis previously stated.

Mr. ARENS. Mr. Lautner, would you kindly resume the witness stand for just a moment?

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. LAUTNER. Yes, sir.

Mr. ARENS. Mr. Lautner, during the course of your experience in the Communist Party concerning which you have given the committee earlier today a brief outline, did you know a person as a Communist by the name of Harriet Barron?

Mr. LAUTNER. Yes.

Mr. ARENS. Do you see that person in the hearing room today?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you kindly point her out to the committee?

Mr. LAUTNER. She is sitting right alongside of me.

Mr. MOULDER. She is not presently on the witness stand?

Mr. LAUTNER. She is not presently on the witness stand.

Mr. ARENS. Do you here and now identify the lady seated on your right as a person who to your certain knowledge was a member of the Communist Party?

Mr. LAUTNER. Yes.

TESTIMONY OF MRS. HARRIET BARRON—Resumed

Mr. ARENS. Mrs. Barron, would you kindly look at the gentleman to your left and tell this committee was he lying or telling the truth when he just now identified you as a Communist?

Mrs. BARRON. I decline to answer that question on the basis I have indicated previously.

Mr. MOULDER. May I interrogate the witness who has identified her as a Communist? What is the basis and your reasons for saying she was a member of the Communist Party?

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. LAUTNER. Transaction of party business with her.

Mr. MOULDER. You should be more specific. Tell us where, when, and so on.

Mr. LAUTNER. For example, the last time I recall I think it was in 1949, Harriet Barron came to my office at Communist Party head-

quarters at 35 East 12th Street, on the fifth floor. She brought a message.

Mr. MOULDER. That is the person you referred to here on the witness stand?

Mr. LAUTNER. Yes. She brought a message from one Sam Carr, who was at that time detained at Ellis Island. Sam Carr was involved in the espionage in Canada. He was executive secretary of the Canadian Communist Party. The message was to get in touch with Norman Shrank, who was the executive secretary of the Communist Party in Brooklyn, that Norman Shrank's either nephew or brother—I don't know at the moment—should get rid of some kind of a package. I did convey that message to Norman Shrank and also to Betty Gannett, who at that time was the executive secretary of the—assistant executive secretary of the Communist Party of the United States.

Mr. MOULDER. This witness brought this message to you?

Mr. LAUTNER. Yes, to convey it to the executive secretary out in Brooklyn; that is correct.

Mr. MOULDER. Did you ever have any other contact with her in connection with the Communist Party activities?

Mr. LAUTNER. I met her at Communist Party meetings from time to time, conventions, conferences, and also I was called on to the offices of the Committee for Protection of Foreign Born, on a number of occasions, dealing with problems pertaining to party members who were under deportation proceedings or having difficulties with the I. and N. S., with the Immigration and Naturalization Service.

Mr. MOULDER. Where were these meetings?

Mr. LAUTNER. Once or twice I went down on 26th Street at the headquarters of the Protection of Foreign Born.

Mr. MOULDER. Where was that?

Mr. LAUTNER. On 26th Street, near Broadway. It is right off Broadway on the north side of 26th Street. At that time known as the Freddy Field Building.

Mr. MOULDER. And you saw her there at those meetings?

Mr. LAUTNER. These meetings were of the nature involving party members who had difficulties with the Immigration and Naturalization Service.

Mr. MOULDER. And she was participating?

Mr. LAUTNER. Yes.

Mr. MOULDER. As a Communist Party member?

Mr. LAUTNER. She was participating in her capacity as a functionary of the Protection of Foreign Born, in the organization. As a party member, she was also participating in national conventions.

TESTIMONY OF MRS. HARRIET BARRON—Resumed

Mr. MOULDER. May I ask her this question? You have heard his testimony specifically concerning you. Do you wish to deny or affirm any part of his testimony? We have often heard here the witnesses don't have an opportunity to be confronted by a witness. I have never observed any more clear illustration of a witness being confronted by a witness than in this case. You are given the opportunity to deny or affirm any part of his testimony if you wish to do so. What do you say about it?

(Witness consulted her counsel.)

Mrs. BARRON. I appreciate the opportunity given to me, but I wish to decline on the basis previously stated to make any further statement in regard to this witness' testimony.

Mr. SCHERER. Was there anything the witness said about you in the last part of his testimony that was untrue?

Mr. FORER. She answered that already.

Mr. SCHERER. I am asking her again, Mr. Counsel.

(Witness consulted her counsel.)

Mrs. BARRON. I shall have to decline to answer for the same reason.

Mr. ARENS. Mrs. Barron, I lay before you a photostatic copy of the Daily Worker, New York, of June 17, 1951, in which appears a photograph and an article under the photograph, pictured here at the all-nations' salute honoring Ferdinand Smith and Midwest victims of McCarran-Walter law deportation hysteria. A person identified here is Mrs. Harriet Barron. I ask you to look at that photograph and article, and ask if you are the Harriet Barron alluded to in the article?

Mrs. BARRON. I am sorry. I decline to answer.

Mr. MOULDER. Mr. Counsel, so many times this committee has been criticized in that witnesses are not given an opportunity to be confronted by a witness or they are not given an opportunity to interrogate their accuser. A witness has just appeared. Do you wish to ask him any questions or to interrogate him, through the advice of your counsel or by yourself, to ask him any questions? I mean the witness, Mr. John Lautner.

Mrs. BARRON. I would prefer not to talk to that man.

Mr. ARENS. Now, were you a participant in the all-nations' salute to Ferdinand Smith and Midwest victims of the McCarran law?

Mrs. BARRON. I shall have to decline to answer that question on the same basis as previously stated.

Mr. ARENS. I lay before you an exhibit which is a photostatic copy of an article appearing in the Communist Daily Worker of New York, October 23, 1951, page 5, referring to Harriet Barron, national administrative secretary of American Committee for Protection of Foreign Born, as one of the principal speakers at a foreign-born conference held in Cleveland, Ohio.

Kindly look at that article and tell us if you are the individual alluded to there and if you did participate in that conference.

Mrs. BARRON. I decline to answer on the basis previously stated. (Document marked "Exhibit No. 40," see appendix, p. 7157.)

Mr. ARENS. I lay before you still another exhibit with reference to a conference held at Ford Local 600 Auditorium in Detroit, Mich., under the auspices of the Michigan Committee for Protection of Foreign Born, in which the delegates and participants are listed, including one Harriet Barron, and ask you to look at that and see if that refreshes your recollection and tell this committee whether or not you participated in that conference.

Mrs. BARRON. I decline to answer on the basis previously stated. (Document marked "Exhibit No. 41," see appendix, pp. 7157, 7158.)

Mr. ARENS. I observe here that the cosponsor of this organization is a group called the National Women's Appeal for the Rights of Foreign Born Americans. Are you conversant with the existence of that organization?

Mrs. BARRON. I decline to answer for the same reason I stated previously.

Mr. ARENS. Did you participate in the National Women's Appeal?

Mrs. BARRON. I decline to answer for the same reason I stated previously.

Mr. ARENS. Is the National Women's Appeal a Communist-controlled organization?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you a summary proceeding of the National Conference of Deportee Defense Committees which was participated in by representatives of a number of committees. At the bottom of this proceeding appears the following:

Harriet Barron reported on the activity of the National Women's Appeal for the Rights of Foreign Born Americans.

I ask you if you participated in that conference and represented the National Women's Appeal?

Mrs. BARRON. I decline to answer on the basis previously stated. (Document marked "Exhibit No. 42," see appendix, pp. 7158-7160.)

Mr. ARENS. Is this document which I have just laid before you an official publication of the conference?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you a photostatic copy of a letter signed by Harriet Barron, administrative secretary of the American Committee for Protection of Foreign Born, addressed to Mr. J. N. Smith, Odd Fellows Hall Association, 1849 Ninth Street NW., Washington, D. C., in which request is made for use of the hall for January 8, 1955, and ask you if you are the Harriet Barron who offered that signature?

Mrs. BARRON. I decline to answer on the basis previously stated. (Document marked "Exhibit No. 43," see appendix, p. 7161.)

Mr. ARENS. Did you in 1955 solicit the use of a hall in Washington, D. C., the Odd Fellows Hall, for the use of the American Committee for Protection of Foreign Born for a rally?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you three letters, each signed "Harriet," and all addressed, "Dear Evelyn," the first one dated June 22, 1954, the second March 31, 1954, the third dated April 13, 1954, with reference to certain activities of the American Committee for Protection of Foreign Born and ask if you will kindly identify those letters for us.

Mrs. BARRON. I decline to answer on the basis previously stated.

(Documents marked "Exhibits Nos. 44, 45, 46," see appendix, p. 7162.)

Mr. ARENS. In this one letter I observe the statement, "Dear Evelyn. Steve was here yesterday." Who was Steve? Was that Steve Nelson?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. Have you engaged in lobbying activities?

(Witness consulted her counsel.)

Mrs. BARRON. What do you mean by that? Did I personally lobby?

Mr. ARENS. Have you engaged in activities designed to influence legislative action?

Mr. MOULDER. Organized activities he is referring to. Every individual might try to influence legislation.

Mr. FORER. You mean by direct visits?

Mr. ARENS. Yes.

Mr. MOULDER. The question is direct, Were you a member of any organization?

Mrs. BARRON. Was I a member of any organization that engaged in lobbying activities?

Mr. ARENS. Yes.

Mrs. BARRON. I refuse to answer on the basis previously stated.

Mr. ARENS. Are you registered or have you ever been registered under the Lobbying Act?

(Witness consulted her counsel.)

Mrs. BARRON. No.

Mr. ARENS. When were you last in Washington, D. C.?

Mrs. BARRON. I can't remember now. I don't remember the exact date I was here last.

Mr. ARENS. When were you served with your subpoena, do you recall, about when?

Mrs. BARRON. You mean what day?

Mr. ARENS. Approximately when. We have had it here in the record, but it is not handy at the moment. It has been some few weeks ago; has it not?

Mrs. BARRON. It was on Thursday, the previous Thursday, not last Thursday. The previous Thursday.

Mr. ARENS. And where were you when you received your subpoena?

Mrs. BARRON. I decline to answer on—

Mr. ARENS. In what State were you?

Mrs. BARRON. In what state was I?

Mr. ARENS. Yes.

Mrs. BARRON. You mean was I upset about it?

Mr. ARENS. No. I mean what State of the Union were you in?

Mrs. BARRON. I was in New York State.

Mr. ARENS. Since you received your subpoena where have you been; in what States?

(Witness consulted her counsel.)

Mrs. BARRON. I was in St. Louis, Denver, Salt Lake City, and Los Angeles.

Mr. ARENS. That has been just a week ago Thursday.

Mrs. BARRON. That is right.

Mr. ARENS. Did you engage in meetings in these various cities which you just cited to the committee?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. MOULDER. It occurs to me that you have waived your privilege, if any, by saying that you were in St. Louis, Salt Lake City, and wherever you may have been, Denver and Los Angeles.

Mr. FORER. It just isn't so.

Mr. MOULDER. By opening it up. You say you were there. What purpose were you in those cities for? Were you visiting?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. Was it a pleasure trip?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. Who paid your expenses?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. ARENS. The fact is you were setting up Communist conferences throughout the country in pursuit of the work of the American Committee for Protection of Foreign Born; is that not true?

(Witness consulted her counsel.)

Mrs. BARRON. It is not true.

Mr. ARENS. Were you engaged in work on behalf of the American Committee for Protection of Foreign Born?

Mrs. BARRON. That I decline to answer on the basis previously stated.

Mr. MOULDER. The witness is directed to answer inasmuch as you denied the other question. You can't have your cake and eat it, too. You must respond and leave this thing cleanly on the board or else deny it or claim the privilege, one or the other.

Mrs. BARRON. I refuse to answer that on the basis previously stated.

Mr. ARENS. What have you done in your career toward causing the immigration system to be weakened?

Mrs. BARRON. I don't understand that question.

Mr. ARENS. Have you taken any action designed to affect the course of legislation pertaining to immigration?

Mrs. BARRON. I decline to answer on the basis previously stated.

Mr. MOULDER. I am curious to ask you this: Were your visits to the cities that you mentioned a moment ago the result of a subpoena which was served upon you?

(Witness consulted her counsel.)

Mrs. BARRON. It had nothing to do with the subpoena.

Mr. MOULDER. That question was submitted to you by counsel following the question about subpoena.

Mrs. BARRON. I didn't hear you.

Mr. MOULDER. He asked you a question about your subpoena, and then asked you the question where you had been since you were served with the subpoena. I wondered whether or not your trips to the cities you have mentioned was the result of the subpoena that was served upon you.

Mr. FORER. She answered that. She said, "No."

Mr. ARENS. Since you were served with your subpoena before this committee, you took this trip to the west coast.

(Witness consulted counsel.)

Mrs. BARRON. I had my plans before it.

Mr. ARENS. And you communicated with this committee that you planned on making this trip and therefore had to have some kind of adjustment in your schedule of appearance before this committee; is that correct?

Mrs. BARRON. That is correct.

Mr. ARENS. Was this trip that you took to the west coast in the course of the work in which you are engaged for your livelihood?

Mrs. BARRON. I decline to answer that on the basis previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. Do you wish to make any explanation or make any statement concerning your occupation or livelihood referred to by counsel?

(Witness consulted her counsel.)

Mrs. BARRON. I would like to ask a question. Is it wrong for people to fight against unjust legislation?

Mr. SCHERER. No; but the Congress has a right to know whether that fight is led by a foreign power through the Communist Party. That is what we are trying to find out. You could tell us about that.

Mr. ARENS. Tell this committee what legislation you have fought against.

Mrs. BARRON. I refuse to answer that on the basis stated previously.

Mr. SCHERER. Congress has a right to know whether a foreign power is instigating legislation which you are supporting and whether you are getting other people in this country to support it without them knowing the fact that the Communist Party is behind the effort. That is what we want to know. You have a perfect right, every American has a perfect right, to lobby the Congress. We also have the right to know whether that legislation is being proposed by a foreign government with whom we are engaged in a cold war. That is what you could tell us. That is what we want to know. We want to know the source of this agitation.

Mrs. BARRON. I don't know anything about that.

Mr. SCHERER. You said you don't know anything about it?

Mr. FORER. She couldn't tell you. That is what she said. That is what she said.

Mrs. BARRON. I don't know anything about any foreign power engaged in—

Mr. SCHERER. The Committee for Protection of Foreign Born gets money from the Communist Party, does it not?

Mrs. BARRON. I refuse to answer that.

Mr. SCHERER. I submit she must answer that in view of her answer and I ask that you direct the witness to answer the question.

Mr. MOULDER. The witness is directed to answer.

Mrs. BARRON. I am sorry I must refuse.

Mr. SCHERER. You get your salary from the Committee for Protection of Foreign Born.

Mrs. BARRON. I refuse to answer that.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer that question.

Mr. MOULDER. The witness is directed to answer.

Mrs. BARRON. I refuse to answer that as previously stated.

Mr. SCHERER. This member of the committee feels you are in contempt of this committee because you said in response to my question that what I said was not true.

Mr. FORER. That does not put her in contempt of the committee.

Mr. SCHERER. That does not put her in contempt, but a refusal to answer these questions puts her in contempt of the committee in my opinion.

Mr. FORER. No, you are wrong; I am sorry.

Mr. MOULDER. The statements made by Congressman Scherer are not made in the spirit of a threat. I wish you to know that my statement made a moment ago is not. So many times this committee has been criticized in that witnesses are not given the opportunity to defend themselves or to be confronted by an accuser, which you have been, by a witness who sat on the witness stand right beside you, under oath, and made certain accusations concerning you and your activities in the Communist Party, and other activities, and we tried to offer you the opportunity to interrogate or to cross-examine this witness, and you said you chose not to do so. Then, at the close of your testimony, I asked you if you have any statement to make yourself as an explanation of your claiming the fifth amendment which you clearly have under our form of government. As I understand you have nothing more to say.

Mrs. BARRON. That is right.

Mr. MOULDER. The witness is excused. Call your next witness.

(Witness excused.)

Mr. ARENS. Mr. Chairman, may we have a recess for a few minutes?

Mr. MOULDER. Yes. The committee will stand in recess for a few minutes.

(Short recess.)

(Present at reconvening after recess, Representatives Moulder and Scherer.)

Mr. ARENS. Mr. Albert Colloms, please come forward and remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLLOMS. I do.

TESTIMONY OF ALBERT L. COLLOMS, ACCOMPANIED BY JOSEPH FORER, COUNSEL

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. COLLOMS. Albert L. Colloms, 46 West 95th Street, New York City, an attorney.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. COLLOMS. That is correct.

Mr. ARENS. Are you represented by counsel?

Mr. FORER. Yes; Joseph Forer, 711 14th Street NW., Washington, D. C.

Mr. ARENS. Mr. Colloms, I lay before you a letter dated February 25, 1956, and a press release entitled "Legislative Conference To Spur Congressional Action," which sets forth the position of the Conference for Legislation in the National Interest, and on which is set forth the name of Angus Cameron as chairman, and secretary Albert L. Colloms. I ask you if you are the secretary for the Conference for Legislation in the National Interest?

Mr. COLLOMS. Yes, I am.

(Documents marked "Exhibits Nos. 47a, b, and 48," see appendix, pp. 7163-7165.)

Mr. ARENS. As secretary, do you have custody and control of the minutes and records of the organization?

Mr. COLLOMS. If there were any I would have control of them.

Mr. ARENS. Are there such records?

Mr. COLLOMS. There are no minutes of the organization which was subpoenaed. There have never been any minutes.

Mr. ARENS. The subpoena which was served upon you is a subpoena duces tecum demanding you to produce excerpts of all minutes of the meetings of this organization. Are there any such records?

Mr. COLLOMS. There was one meeting of the conference. There were no minutes taken of that meeting to the best of my knowledge, and I never saw them.

Mr. ARENS. Do you know Angus Cameron?

(Witness consulted with his counsel.)

Mr. COLLOMS. Yes, I know him.

Mr. ARENS. Is he chairman of the Conference for Legislation in the National Interest?

Mr. COLLOMS. Yes, he is.

Mr. ARENS. Do you know Prof. Ephraim Cross?

Mr. COLLOMS. I know his name.

Mr. ARENS. What is his identification, if any, with the Conference for Legislation in the National Interest?

Mr. COLLOMS. May I see that document, please?

Mr. ARENS. Yes [handing].

Mr. COLLOMS. I take it he was a sponsor.

Mr. ARENS. How long have you been secretary of the conference?

Mr. COLLOMS. Since about January 20, I would say.

Mr. ARENS. Are you the only secretary the conference has ever had?

Mr. COLLOMS. I am not sure if there was one prior to me.

Mr. ARENS. Who is Rose Russell?

Mr. COLLOMS. Apparently from that document she was a sponsor, too.

Mr. ARENS. If you are secretary, wouldn't you know if she is or not?

Mr. COLLOMS. That document was issued before I was secretary, I believe. I received one of those and that is how I became interested in the conference.

Mr. ARENS. Do you know Dr. W. E. B. DuBois?

Mr. COLLOMS. Very well; that is a very famous name in American history.

Mr. ARENS. Do you know his connection with the conference?

Mr. COLLOMS. I believe he was also a sponsor.

Mr. ARENS. Do you know whether or not Angus Cameron is a member of the Communist Party?

Mr. COLLOMS. I do not know.

Mr. ARENS. Do you know whether or not Rose Russell is a member of the Communist Party?

Mr. COLLOMS. I do not know.

Mr. ARENS. Do you receive compensation as secretary of the Conference for Legislation in the National Interest?

Mr. COLLOMS. I do not.

Mr. ARENS. How many members are there of the Conference for Legislation in the National Interest?

Mr. COLLOMS. Not enough. As a matter of fact, there are no members. There are just some people who are called continuation committee people, and I think sponsors. That is all.

Mr. ARENS. What is the budget of the Conference for Legislation in the National Interest?

Mr. COLLOMS. In the red.

Mr. ARENS. What is its income?

Mr. COLLOMS. Whatever we can collect if we have another conference.

Mr. ARENS. What was its income in the last conference?

Mr. COLLOMS. Somewhere between \$400 and \$700.

Mr. ARENS. Was it all expended?

Mr. COLLOMS. Except for about \$20 which is now in the bank, and \$100 which was spent on an ad in the National Guardian trying to get some more members, which we didn't get.

Mr. ARENS. I lay before you a photostatic copy of a press release, dated April 1, 1956, issued by the Conference for Legislation in the National Interest, which sets forth information as to certain sessions of the conference. Otto Nathan was to lead a discussion, and Victor Rabinowitz was to lead a discussion, Angus Cameron and others were to participate. I ask if you were also a participant in that particular conference of the Conference for Legislation in the National Interest. (Witness consulted his counsel.)

Mr. COLLOMS. If that was the conference of April 7, which I take it it is, it is not outlined in that document, I was present at that conference.

(Document marked "Exhibit No. 49," see appendix, p. 7166.)

Mr. ARENS. Who solicited your membership in the conference?

Mr. COLLOMS. I got one of those documents which you showed me, having the four sponsors' names on it, or whatever they are called in that letter, and I appeared at a meeting in New York where those sponsors and some other people were present. I don't remember who they were, and there was general discussion about Congress not having done anything about legislation for a while, and that it might be important to get some legislation passed which would be in the public interest, such as housing, increased appropriations for social security, social-security extension, coverage extension in social security, agricultural measures, repeal of the Smith Act, extension of aid for foreign countries culturally, all kinds of legislation which I believe was in the public interest.

Mr. SCHERER. Just of interest to me, was there any discussion as to how the money should be raised for these new activities?

Mr. COLLOMS. Yes, sure.

Mr. SCHERER. How?

Mr. COLLOMS. The committee was to borrow money from the American Labor Party in New York for the purpose of running the first meeting because they were the only people who had any money on hand that we knew at that time, and then we would repay them from the proceeds of the first meeting which we did.

Mr. SCHERER. I didn't mean that. I mean in your discussions about this new legislation or expanded legislation of the Federal Government, did this committee discuss the means by which the Federal Government could finance it?

Mr. COLLOMS. Yes, surely; taxes.

Mr. SCHERER. Increased taxes?

Mr. COLLOMS. No. We didn't say that. We meant a fairer tax base.

Mr. ARENS. How much literature did the conference disseminate over the country?

Mr. COLLOMS. Over the country?

Mr. ARENS. Yes.

Mr. COLLOMS. So far as I know, none.

Mr. ARENS. How much literature did it disseminate?

Mr. COLLOMS. There were, as I understand, about 300 people present at that conference—about 300—and I guess we gave out 300 pieces of literature.

Mr. FORER. You must have had a call.

Mr. COLLOMS. There was a call also.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. COLLOMS. I refuse to answer that on the grounds of the fifth and first amendments, and I don't think this committee has any authority to enter an inquiry concerning my beliefs or political affiliations.

Mr. SCHERER. You mean this committee does not have the right to determine whether at this date you are a member of the Communist Party?

Mr. COLLOMS. I said that, sir.

Mr. ARENS. Have you ever been employed by the Federal Government?

Mr. COLLOMS. I have.

Mr. ARENS. Where were you employed by the Federal Government?

Mr. COLLOMS. In Washington and New York.

Mr. ARENS. Over what period of time?

Mr. COLLOMS. From 1938 to 1940, 1941 to 1946.

Mr. ARENS. In what agencies?

Mr. COLLOMS. I was with the United States Housing Administration from 1938 to 1940 in Washington, and maybe a month in New York, I am not sure, and for the Office of Price Administration in New York City.

Mr. SCHERER. Were you a member of the Communist Party when you were employed by the Government of the United States?

Mr. COLLOMS. I refuse to answer that question on the same grounds as stated before.

Mr. ARENS. Did you at any time during the course of your employment or as a prerequisite of obtaining employment in the Federal Government sign a non-Communist affidavit?

Mr. COLLOMS. I don't recall.

Mr. ARENS. Do you know where Rose Russell is now?

Mr. COLLOMS. At this moment?

Mr. ARENS. Yes, sir.

Mr. COLLOMS. I haven't the slightest notion.

Mr. ARENS. Have you talked to her or been in contact with her in the course of the last 10 days?

Mr. COLLOMS. As a matter of fact, I think I met her in the lobby of a theater in New York last Sunday; that is a week ago yesterday. I think so. I am not sure.

Mr. ARENS. Do you know where Angus Cameron is?

Mr. COLLOMS. Personally, no. I heard that he was in Canada hunting, shooting moose and deer.

Mr. SCHERER. He wasn't in Hungary, anyhow.

Mr. COLLOMS. I don't even know that.

Mr. SCHERER. Where does he live? What is his residence when he is not shooting deer?

Mr. COLLOMS. I don't know. He is in New York a good part of the time.

Mr. ARENS. The reason we asked about Rose Russell is because the committee has been looking for some time to serve a subpoena on her, and cannot find her.

Mr. COLLOMS. Maybe she is not in New York.

Mr. ARENS. The next document is apparently a letter of welcome used at the Conference for Legislation in the National Interest,

April 7, 1956, indicating that there were five attachments, as follows: A program of a conference; technique for effective writing to Congressmen; list of key congressional committees; key assignments of New York City Congressmen and United States Senators; and bills for proposed legislation classified by panels. I ask if these are true and correct reproductions of the documents of the Conference for Legislation in the National Interest?

Mr. COLLOMS. This looks like a copy of one of the documents that was used there.

(Documents marked "Exhibit No. 50a-n," see appendix, pp. 7167-7179.)

Mr. ARENS. Did you undertake to contact any Congressmen or members of any of the congressional committees in behalf of the legislative program of the Conference for Legislation in the National Interest?

Mr. COLLOMS. I, personally? I think I did. I think I sent some letters to people in Washington and Congressmen asking to send us bills. I think we had them and I think they were reported on at that conference.

Mr. ARENS. Did you disseminate information respecting those bills around New York City?

Mr. COLLOMS. No, at the conference only.

Mr. ARENS. Is the Conference for Legislation in the National Interest or any of its key officers registered or listed under the Lobbying Act?

Mr. COLLOMS. I don't think so.

Mr. ARENS. Does the Conference for Legislation in the National Interest undertake to influence legislation?

Mr. COLLOMS. I don't know what you mean by that.

Mr. ARENS. Does it advocate certain legislation?

Mr. COLLOMS. Is there anything wrong with advocating legislation, sir?

Mr. ARENS. No. I am just asking you if they are doing so.

Mr. COLLOMS. If 300 people who met once can influence legislation, they have tried to influence legislation.

Mr. ARENS. I lay before you one of the attachments to the letter of welcome, a four-page bulletin entitled "Dear Congressman," in which is set forth a technique for contacting Congressmen and a list of certain Congressmen who are to be contacted on behalf of the program of the Conference for Legislation in the National Interest, and so forth, and ask you if that is a true and correct reproduction or true and correct presentation of the program of the conference.

Mr. COLLOMS. Yes. This is one. Is this the one you mean that has:

Avoid post cards. Letters show more thought and interest. Write, do not wire unless time requires it.

Mr. ARENS. Yes.

Mr. COLLOMS (reading) :

Write legibly or use a typewriter.

Mr. ARENS. Yes.

Mr. COLLOMS (reading) :

Limit your letter to one subject.

Mr. ARENS. Yes, sir.

Mr. COLLOMS (reading) :

Give reasons for opinion and don't scold, issue orders, threaten with your votes.

Mr. ARENS. Yes.

Mr. COLLOMS (reading) :

Be objective and write on the basis of information and not rumor.

Mr. ARENS. Yes, sir.

Mr. COLLOMS (reading) :

Use letters, praise actions, and bills as well as to condemn. Be original. Write your own letter.

Mr. ARENS. Yes.

Mr. COLLOMS. That is right. We sent that out.

(See exhibit No. 50k, appendix, p. 7175.)

Mr. ARENS. What is the position which the conference has taken with reference to the Battle Act, which prohibits certain trade in certain strategic materials with the Iron Curtain countries?

Mr. COLLOMS. As a matter of fact——

Mr. ARENS. Do you recall the position of the conference with reference to the Battle Act?

Mr. COLLOMS. May I finish my answer, please, Mr. Arens. As a matter of fact, I don't think any action was taken at any time by the conference. I think that these instruction sheets or legislative information sheets were given to the delegates and that action was proposed, but no formal action was taken by the conference because of the lack of time.

Mr. ARENS. Who did the proposing? Who took the position on these various points?

Mr. COLLOMS. I would think that it was the reporter who prepared those sheets for each one of the panels. I am not sure, but I think that is the way it was done.

Mr. ARENS. Who was the reporter?

Mr. COLLOMS. I don't know. I would have to look back at the program.

Mr. ARENS. I lay before you a copy of another bulletin entitled "Panel: Survival or Extinction" of the Conference for Legislation in the National Interest. I ask you if that refreshes your recollection?

Mr. COLLOMS. As to who prepared it?

Mr. ARENS. Yes, sir.

Mr. COLLOMS. No, it does not refresh my recollection.

Mr. ARENS. Does it refresh your recollection with reference to the position taken by the conference?

Mr. COLLOMS. If I read it, it will.

Mr. ARENS. Or by the proponents of the conference?

Mr. COLLOMS. Yes. It says "For Repeal."

(See exhibit No. 50c, appendix, p. 7168.)

Mr. ARENS. Look at another bulletin, and tell us the legislative position of the conference with reference to the Smith Act, the immunity laws, the Subversive Activities Control Act, and the Communist Control Act.

Mr. COLLOMS. I imagine it was a repeal for all of those.

Mr. ARENS. What connection, if any, to your knowledge has Abner Green had with the Conference for Legislation in the National Interest?

Mr. COLLOMS. So far as I know, none.

Mr. ARENS. Do you know Abner Green?

Mr. COLLOMS. I saw him here.

Mr. ARENS. Have you ever seen him before?

Mr. COLLOMS. Yes, I think I saw him at a dinner in New York.

Mr. ARENS. Was that dinner under the auspices of the Conference for Legislation in the National Interest?

Mr. COLLOMS. No.

Mr. ARENS. Kindly tell the committee who it is, if you know, who prepared this memo, Conference for Legislation in the National Interest, on the Walter-McCarran Act.

Mr. COLLOMS. I don't know.

Mr. ARENS. Do you know who it is who served on these panels of the Conference for Legislation in the National Interest?

Mr. COLLOMS. I think the program is accurate. I don't remember who they were now. I was not present at each panel. They all ran simultaneously.

Mr. ARENS. Do you know who prepared this program, including the recommendations?

Mr. COLLOMS. I am not sure. It was probably the reporter or some one with the reporter.

(Document marked "Exhibit No. 51," see appendix, p. 7179.)

Mr. ARENS. Are you now as secretary of the Conference for Legislation in the National Interest under the discipline of the Communist conspiracy in this country.

Mr. COLLOMS. Will you please explain that? I don't know what you mean by "Communist conspiracy in this country."

Mr. ARENS. Communist Party in this country.

Mr. COLOM. What do you mean by "discipline"?

Mr. ARENS. Are you receiving now orders in connection with your work in the Conference for Legislation in the National Interest from the Communist Party or from persons known by you to be members of the Communist Party?

(Witness consults his counsel.)

Mr. COLLOMS. The answer quite definitely is "No."

Mr. ARENS. Are you, while you are a member of the Conference for Legislation in the National Interest, at the same time a member of the Communist Party?

Mr. COLLOMS. What is that again? Repeat that.

Mr. ARENS. During the course of your tenure as secretary of the Conference for Legislation in the National Interest, are you likewise a member of the Communist Party?

Mr. COLLOMS. I refuse to answer that on the grounds previously stated.

Mr. ARENS. Does the Conference for Legislation in the National Interest disseminate literature of the American Committee for Protection of Foreign Born?

Mr. COLLOMS. I think that at that first conference, that 1 conference, they did have 1 piece of legislation that was issued by the Committee for the Protection of Foreign Born.

Mr. ARENS. You mean one piece of literature?

Mr. COLLOMS. That is right.

Mr. ARENS. Does that conference or has the conference disseminated literature of the Emergency Civil Liberties Committee such as this pamphlet entitled "The Smith Act"?

(Document marked "Exhibit No. 52a, b," see appendix, pp. 7180-7181.)

Mr. COLLOMS. They may have also had one of those. I am not sure, but they may have.

Mr. ARENS. Mr. Chairman, this pamphlet was included in the material given to each delegate to the national legislative conference.

Mr. Colloms, does the conference and has the conference likewise distributed or disseminated literature of other organizations which have been found by Government agencies to be Communist fronts?

Mr. COLLOMS. That is one of those so-called loaded questions—"has it also." I don't know what agencies they are.

Mr. MOULDER. Yes; I would suggest that the counsel separate the questions.

Mr. COLLOMS. That is right.

Mr. ARENS. The National Lawyers Guild—

Mr. FORER. Who found the National Lawyers Guild to be a Communist front?

Mr. COLLOMS. I was going to ask that.

Mr. ARENS. The Committee on Un-American Activities.

Mr. COLLOMS. Without a hearing. That is not very binding on anybody.

Mr. ARENS. Let us get to the point. Has the Conference for Legislation in the National Interest distributed literature for the National Lawyers Guild?

Mr. COLLOMS. I don't know.

Mr. ARENS. Have you ever been a member of the National Lawyers Guild?

Mr. COLLOMS. I have and am.

Mr. ARENS. Were you a member of the National Lawyers Guild when you were employed by the Federal Government?

Mr. COLLOMS. I was.

Mr. ARENS. Were you in a Communist fraction of the National Lawyers Guild while you were employed by the Federal Government? (Witness consulted his counsel.)

Mr. COLLOMS. I refuse to answer that one on the same grounds.

Mr. ARENS. Do you know or have you known a person by the name of Mortimer Riemer?

(Witness consulted his counsel.)

Mr. COLLOMS. Yes; he was the executive secretary, the first executive secretary of the National Lawyers Guild when Thurman Arnold was one of the vice presidents and Judge Frankfurter was one of the members and a number of other people in Washington were active.

Mr. ARENS. Do you know whether or not Riemer is, or ever has been, a member of the Communist Party?

Mr. COLLOMS. I think he said so. It was mentioned in the New York Times in a press release.

Mr. MOULDER. He is asking you of your own personal knowledge.

Mr. COLLOMS. No; I don't know.

Mr. MOULDER. That is all you can testify to.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness. However, I would like

two additional documents contained in the committee's files: An article appearing in the Daily Worker, March 19, 1956; and an editorial in the Daily Worker of April 6, 1956.

(Documents marked "Exhibits Nos. 53, 54," see appendix, pp. 7182-7183.)

Mr. MOULDER. May I ask you, then, in connection with your Government service, Did you voluntarily resign or was it terminated for other reasons?

Mr. COLLOMS. In both cases I voluntarily resigned.

Mr. MOULDER. May I make my point here. The right of American people to assemble and to favor or oppose legislation is an American privilege or right. The question in response to counsel is whether or not there is a subversive influence in connection with it which I understand you refused to answer.

Mr. COLLOMS. I answered every question about the committee. I refuse to answer my personal beliefs. I believe the committee is going to continue to function if we can raise enough members and enough money.

Mr. SCHERER. Let me say this. What I want to know as a Member of Congress, when I receive information from a committee such as this, I want to know whether it is information or suggested legislation coming from the Communist Party using a fictitious or seemingly respectable name.

Mr. MOULDER. As I understand this witness' testimony, he denies having any knowledge or connection with that sort of activity.

Mr. ARENS. Yes, but he does not deny Communist Party membership. He has invoked the fifth amendment.

Mr. MOULDER. Yes, I understand that. But he says he has no knowledge of any other influence.

(Witness excused.)

Mr. ARENS. Mr. George Murphy, come forward.

Mr. MOULDER. Do you solemnly swear that testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MURPHY. I do.

TESTIMONY OF GEORGE B. MURPHY, JR., ACCOMPANIED BY WILLIAM H. MURPHY AND JOSEPH FORER, COUNSEL

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. MURPHY. My name is George B. Murphy, Jr. I live at 5210 First Street, NW. I am employed as an assistant to the grand secretary of the Improved Benevolent and Protective Order of the Elks of the World.

Mr. ARENS. Are you represented by counsel?

Mr. MURPHY. Yes.

Mr. ARENS. Will counsel identify themselves.

Mr. MURPHY. My name is William H. Murphy. I am an attorney. I am from Baltimore, Md.

Mr. FORER. I am Joseph Forer, again.

Mr. ARENS. Where are you employed?

Mr. MURPHY. I just answered that.

Mr. ARENS. You didn't say where.

Mr. MURPHY. In Washington, D. C.

Mr. ARENS. How long have you been so employed?

Mr. MURPHY. Nearly 3 years.

Mr. ARENS. Do you know or have you ever known a person by the name of Dorothy Funn?

Mr. MURPHY. I refuse to answer that question on the basis that I have a privilege under the fifth amendment which denies me the right to be a witness against myself.

Mr. ARENS. Dorothy Funn has identified you before this committee as a person who to her knowledge was known as a Communist. Was she lying or telling the truth?

Mr. MURPHY. I refuse to answer that question on the basis as previously stated.

Mr. ARENS. Dorothy Funn, would you kindly stand in the back of the room? Would you kindly look around your left shoulder, Mr. Murphy, and see the lady standing there and tell the committee whether you ever saw her before?

Mr. MURPHY. I refuse to answer the question as previously stated.

Mr. MOULDER. May I ask the question, Has this witness you have asked him to identify testified?

Mr. ARENS. She will testify very shortly, Mr. Chairman.

How long have you been employed in your present job?

Mr. MURPHY. Nearly 3 years, I stated.

Mr. ARENS. Where was your employment just prior to the present employment?

Mr. MURPHY. Prior to that I was general manager of Freedom, a newspaper, a monthly newspaper.

Mr. ARENS. Where is that located?

Mr. MURPHY. That was located in New York City.

Mr. ARENS. Who controlled Freedom? Who owned it?

Mr. MURPHY. It was a corporation.

Mr. ARENS. Who was the president?

Mr. MURPHY. I believe Mr. Louis E. Burnham was president and I was secretary general.

Mr. ARENS. Is the paper still in existence?

Mr. MURPHY. No.

Mr. ARENS. Just give us a word about the editorial board.

Mr. MURPHY. As nearly as I can recall, Mrs. Shirley Graham was a member of the editorial board. Mr. Paul Robeson, Dr. Alphaeus Hunton, Mrs. Modjeska Simpkins.

Mr. ARENS. What was your occupation immediately prior to your employment with the publication, Freedom?

Mr. MURPHY. I was assistant to the campaign manager of the Progressive Party.

Mr. ARENS. Where was that?

Mr. MURPHY. That was located in New York City.

Mr. ARENS. Over what period of time did you occupy that position?

Mr. MURPHY. I don't remember the exact number of years. It was about 2 years.

Mr. ARENS. What was your position immediately prior to your job with the Progressive Party?

Mr. MURPHY. Prior to that, I was national commander of the United Negro and Allied Veterans of America.

Mr. ARENS. How long did you hold that post?

Mr. MURPHY. Approximately 2 years.

Mr. ARENS. What was your position immediately prior to that?

Mr. MURPHY. I was in the Army.

Mr. ARENS. What was your term of service in the Army?

Mr. MURPHY. Three years.

Mr. ARENS. What was your position immediately prior to the time that you went into the Army?

Mr. MURPHY. I was administrative secretary to the National Negro Congress.

Mr. ARENS. What was your position prior to that?

Mr. MURPHY. Prior to that I think I was general manager of the Washington Afro-American.

Mr. ARENS. Identify that publication, please.

Mr. MURPHY. A Negro weekly publication.

Mr. ARENS. What was your employment immediately prior to your employment with the Afro-American?

Mr. MURPHY. Prior to that I was a teacher at Allen University.

Mr. ARENS. Where is that?

Mr. MURPHY. A Negro school under the auspices of the African Methodist Episcopal Church in Columbia, S. C.

Mr. ARENS. Would you give us, then, a word about your employment prior to that time?

Mr. MURPHY. That was my first employment. I would say this, other than summer work in hotels.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mr. MURPHY. I decline to answer that question on the basis as previously stated. I think at this point, Mr. Chairman, I ought to state respectfully to the committee that I have a definite reason for utilizing the fifth amendment on the basis of the fact, No. 1, that in the entire record of this committee, as a Negro in this country, who has not yet fully received his rights, I have seen no record in the entire formation of the committee from the time it began, as much as I knew it under the Dies committee, where it has ever brought forward any organization, any group of people, who have continued to deny our people their rights such as the great conspiracy of the white citizens' councils, the Ku Klux Klan, and other organizations which I really regard as the genuine conspiracy in America.

Mr. ARENS. Do you regard the Communist Party as a conspiratorial organization?

Mr. MURPHY. No, I don't.

Mr. ARENS. Are you a member of the Communist Party?

Mr. MURPHY. I refuse to answer that question as previously stated.

Mr. ARENS. I lay before you, Mr. Murphy, a document entitled, "Mobilize for Peace, Chicago, August 31, and September 1-2, 1940," in which are listed a number of sponsors who were participants in this conference, including a person identified as George Murphy, Jr., National Association for the Advancement of Colored People. I ask if you are the George Murphy referred to.

(Document marked "Exhibit No. 55a, b." See appendix, pp. 7184-7185.)

Mr. MURPHY. Before I identify that, Mr. Chairman, I want to recall my memory. I was employed as public relations director of the National Association for the Advancement of Colored People for 3 years.

Mr. ARENS. Over what period of time?

Mr. MURPHY. I don't recall. It was probably 1937 and 1939, or 1937 and 1940.

Mr. SCHERER. While you were employed as a public relations director for the National Association for the Advancement of Colored People, were you a member of the Communist Party at that time?

Mr. MURPHY. I refuse to answer that question on the basis of the fifth amendment as previously stated.

Mr. MOULDER. May I say your statement about this committee not investigating the Ku Klux Klan and other organizations, which you say are contrary to the civil rights and rights of the colored people, that even so has never encouraged, shall I say, the colored people to be connected with the Communist conspiracy or the Communist Party.

I, as a member of this committee, will say that I have observed that the colored people as a people have had, I would say, the most intense loyalty to our present form of government and the American system of government, and have never fallen for the propaganda or for the Communist conspiracy or the Communist Party, either.

I would say even subjected to the abuses you have mentioned, I would say that they have never been susceptible to being prejudiced against their own Government for the Communist Party or any such conspiracy.

Mr. MURPHY. I appreciate your observation, but my point in answer to that is this. Actually, underneath the record that I have pointed out as to why I felt the way I did, is a whole system and principle of white supremacy in this country. If I may be permitted to say so, you exemplify that when you undertake to tell me what our people are loyal to and not loyal to. You are not in our minds. You don't know what Negro people have suffered all of these years. To say in the face of that that somehow or other they remain loyal to this Government to me——

Mr. MOULDER. I am saying from my observation on this committee.

Mr. MURPHY. That is your observation, and I am giving mine, if you please.

Mr. ARENS. Was your disassociation from the National Association for the Advancement of Colored People voluntary?

Mr. MURPHY. Voluntarily. I resigned.

Mr. ARENS. Did you make known to the officials of the National Association for the Advancement of Colored People any connection you may have had with the Communist Party?

Mr. MURPHY. I decline to answer that question on the basis as I have previously stated.

I would like to state, however, why I resigned from the NAACP. If you are interested in knowing that.

Mr. ARENS. All right, go ahead.

Mr. MURPHY. The question came up there in the NAACP at the time as to how far a person might responsibly occupy a position in the NAACP and exercise his right as a citizen to vote or to help people in the right to be elected to office, and I took the position that while carrying out my duties and occupying my office in conformity with the regulations of the NAACP that beyond that point no organization had any control over my actions, in either helping to elect people to office or otherwise, and in that case I was exercising my right as a citizen. There was a difference of opinion about that.

Mr. MOULDER. The point I was trying to make clear a moment ago that the colored people have never felt as a group that they could rectify the grievances and injustices that they complain of through

the Communist Party. There is some evidence of Communist Party attempt to infiltrate and gain the affiliation of the colored people with the Communist Party because of their grievances. I say they have resisted it. Have you ever as such a person attempted to represent the Communist Party—

Mr. MURPHY. Before I answer that question I want to take exception to what you just said. You nor no Member of Congress or any white person in this country can sit up before me, you might before some Negro people, and make a statement as to what you know the Negro people think or feel. You can only judge by your experience in observing them. Therefore, I am not going to permit you, sir, to speak for our feelings and relationships.

Mr. MOULDER. I am not trying to speak for them. I am trying to be very fair about it.

Mr. MURPHY. I believe you are. I am trying to tell you, Representative Moulder, that the whole notion of white superiority in this country creates a patronizing attitude toward Negroes where white people can undertake to state for them what their feelings are and how they react. This I regard as an insult to our intelligence and an insult to our people.

Mr. MOULDER. I am not taking a patronizing attitude. I am simply saying that the Communist Party is not a solution to what you are talking about. Don't you agree with me on that?

Mr. MURPHY. I have no observation to make on that.

Mr. MOULDER. That is my thought.

Mr. ARENS. Have you ever been chairman or honorary chairman of the American Committee for Protection of Foreign Born?

Mr. MURPHY. I have been an honorary cochairman of the American Committee for Protection of Foreign Born.

Mr. ARENS. Over what period of time did you occupy that position?

Mr. MURPHY. As a matter of fact, up until maybe more than 2 years ago.

Mr. ARENS. Did you serve as cochairman of the National Conference of the American Committee for Protection of Foreign Born?

Mr. MURPHY. Which national conference?

Mr. ARENS. Held in New York City in December of 1954?

Mr. MURPHY. I don't think I was present at that conference.

Mr. ARENS. Do you know Abner Green?

Mr. MURPHY. Yes; I know Abner Green.

Mr. ARENS. Did you know him as executive secretary of the American Committee for Protection of Foreign Born?

Mr. MURPHY. Yes. I would like to make the observation here that in knowing Abner Green for as long as I have been connected with the committee, which has been as far back as I can remember, since 1938, at which time I had a friend to take over to Ellis Island for naturalization proceedings, and I asked the American Committee which was then located on Fifth Avenue, could they help me to solve that problem since our association, the NAACP, knew nothing about it, and when I got over there one of the first things I found out which made me feel that the American Committee was on the right track in helping our people was that this friend whom I took there was told to state that he was black.

Never mind what the rest of his nationality is, and that he could only come into this country as a black person. I discussed this case

with the American Committee and they said that whenever a person, even if he objects to it, that was the ruling, and nothing could be done about it, but they would try to help insofar as they were able. Later on, I came to know the committee because of the large number of West Indian Negro people who have been denied their rights in connection with coming into the country under the quota systems and that has been my interest in the American Committee.

Because I believe that a Negro in this country cannot profitably or loyally serve our Government while fighting for his own rights even against those things which our Government and its agencies may do against him without broadening his scope to see that the foreign-born in this country have also been denied rights. That is the comity of interest I have with the American Committee and which I still retain.

Mr. ARENS. Do you know whether or not Abner Green is a member of the Communist conspiracy?

Mr. MURPHY. I have no such knowledge.

Mr. ARENS. I lay before you a document entitled, "National Conference to Repeal the Walter-McCarran Law, December 1953," the summary of proceedings in which it is stated that one George B. Murphy, Jr., introduced the chairman of the meeting and participated in the meeting. I lay that before you and ask you if you have a recollection of that session?

(Document marked "Exhibit V," see appendix, pp. 8337-8371.)

Mr. MURPHY. That appears to be correct.

Mr. ARENS. I lay before you a photostatic copy of the Daily Worker of October 9, 1940, in which is set forth an article about a rally to protest the efforts of Nicholas Murray Butler respecting the policy of our Government and the title of the activity is "Walk Out on War," and ask you if you recall being in that conference?

Mr. FORER. This article about the American Student Union you mean?

Mr. ARENS. Yes.

Mr. MURPHY. I couldn't recall automatically whether I was present. But I am quite certain that if it was a committee in which they were protesting the ideas of war, it is perfectly possible I was present.

(Document marked "Exhibit No. 56," see appendix, p. 7186.)

Mr. ARENS. That was during the Hitler-Stalin Pact.

Mr. MURPHY. I don't remember whether it was before that or after.

Mr. ARENS. Did you change your position on war after Hitler invaded Soviet Russia?

Mr. MURPHY. I refuse to answer that question on the basis that I previously stated.

Mr. SCHERER. How would that incriminate you?

Mr. MURPHY. I refuse to answer that question on the same basis.

Mr. SCHERER. Do you conscientiously believe that the answer to that question subjects you to possible criminal prosecution?

Mr. MURPHY. Representative Scherer, before I answer that question I want to make this statement. I have indicated in the beginning that the entire record of this committee in relationship to Negro people does not make me a person who could speak other than earnestly what I believe before it. That is the basis. When you ask me do I earnestly believe, there is no other position I can take. I refuse to answer it on that basis.

Mr. SCHERER. I ask you to direct the witness to answer my question.

Mr. FORER. He just did. Your last question.

Mr. SCHERER. I ask the chairman to direct him to answer the question.

Mr. MOULDER. As requested by Congressman Scherer the witness is directed to give a direct or responsive answer to the question. That is not given in the spirit of a threat but to apprise you of your possible dangers involved in connection therewith.

Mr. FORER. May we have the question, because I thought he answered it. Your question was whether he sincerely believed so and he answered.

Mr. SCHERER. He invoked the fifth amendment. I think you will advise him to answer "yes" because you have advised every other witness to answer "yes" to that question.

Mr. FORER. I thought he answered the question. May we have the question again?

Mr. SCHERER. I asked him whether he honestly believes, to answer the question asked him by counsel, would tend to incriminate him?

Mr. MURPHY. I am sure there is a tremendous possibility that it might.

Mr. ARENS. Now, I lay before you a photostatic copy of the Communist Daily Worker of September 16, 1940, "Negro Leaders Protest Attacks Against Communist Candidates," in which a statement appears protesting certain activities taken by the Government of the United States against the Communist conspiracy. In it appears the names of a number of people joining in the statement, including one George B. Murphy, Jr., director of publicity of the National Association for the Advancement of Colored People, New York. I ask you if you recall joining in that statement of the defense of the Communist conspirators?

Mr. MURPHY. I don't know what you mean by the "Communist conspirators," Mr. Prosecutor. It says "Negro Leaders Protest Attacks Against Communist Candidates," and my name is on that. I am sure I did.

Mr. ARENS. You did or did not?

Mr. MURPHY. I did.

(Document marked "Exhibit No. 57," see appendix, pp. 7186-7187.)

Mr. ARENS. Were you a member of the Communist Party at that time?

Mr. MURPHY. I refuse to answer that question on the basis as previously stated.

Mr. ARENS. The Daily Worker of Wednesday, March 5, 1941, has a statement entitled, "List of Signers of Statement Defending the Communist Party," and a statement which is addressed to the President and to the Congress, to uphold the constitutional rights of the Communist Party. Appearing in this list of names is that of George B. Murphy, Jr., Washington, D. C., and I ask you if you were the George B. Murphy identified there?

Mr. MURPHY. This says:

Following is the complete list of 450 prominent Americans who signed a statement urging the President and Congress to defend the rights of the Communist Party.

Mr. ARENS. Did you sign that statement?

Mr. MURPHY. I suspect that was during the time when they had the question of whether or not they should be ruled off the ballot. Yes, I signed that statement on the basis that I would support the rights of any group whether they are regarded as political dissenters or not.

(Document marked "Exhibit No. 58a-h," see appendix, pp. 7188-7195.)

Mr. ARENS. Would you support the rights of the Trotskyites?

Mr. MURPHY. I could not be true to my own feeling about the rights of Negroes unless I supported the right of political dissenters.

Mr. ARENS. Would you support the right of Trotskyites to be in existence and function?

Mr. MURPHY. If they are people who are being denied their rights because of the political beliefs; yes.

Mr. ARENS. Would you support the rights of Fascists or Nazis?

Mr. MURPHY. Now you are asking a question which you know perfectly well that I as a Negro would never support any Fascist or any Nazi. How could I, in good conscience?

Mr. ARENS. I didn't ask you whether you would support the Nazis or Fascists.

Mr. MURPHY. No; I wouldn't support any Fascists or Nazis in this country.

Mr. ARENS. Would you support the rights of any Nazis or Fascists?

Mr. MURPHY. I don't think the two terms are interchangeable.

Mr. ARENS. You said you would support the rights of the Communists?

Mr. MURPHY. That is right, as political dissenters.

Mr. ARENS. Would you support the rights of a Nazi or Fascist?

Mr. MURPHY. A Nazi racist; no.

Mr. FORER. Mr. Chairman, what is this hearing about?

Mr. ARENS. Will counsel kindly restrain himself for a moment?

Mr. MOULDER. Let us proceed.

Mr. ARENS. I lay before you a photostatic copy of the APM Memo, a publication of the American Peace Mobilization. On page 2 there appears an article including this quotation, "Only then can you effectively organize the Negro people to give expression to their deep and undying hatred of war, their hatred of this imperialistic war, this war for profits and power." It was upon this note that Chairman George B. Murphy, Jr., administrative secretary of the National Negro Congress adjourned the meeting. Do you recall being in attendance at that meeting in New York City and making those statements?

Mr. MURPHY. I am quite sure I could have made those statements.

(Document marked "Exhibit No. 59," see appendix, pp. 7196, 7197.)

Mr. ARENS. During the course of the time that you were in the National Association for the Advancement of Colored People were you likewise connected with the National Negro Congress?

Mr. MURPHY. No.

Mr. SCHERER. Mr. Counsel, will you repeat that statement from the previous document, the statement about war?

Mr. ARENS. "Only then can you effectively organize the Negro people to give expression to their deep and undying hatred of war, their hatred of this imperialistic war, this war for profits and power." It was upon this note that Mr. George B. Murphy, administrative secretary of the National Negro Congress, adjourned the meeting.

Mr. SCHERER. When did you change your opinion about war?

Mr. MURPHY. What do you mean about changing my opinion?

Mr. SCHERER. You took an opposite stand when Russia became an ally.

Mr. MURPHY. I refused to answer that question on the basis of the fifth amendment as previously stated.

Mr. ARENS. Do you recall writing to the New Masses protesting what you described as persecution of Earl Browder?

Mr. MURPHY. I am sure I might have.

Mr. ARENS. Did you write to the New Masses saying among other things:

As a Negro, member of an oppressed people in America, I am more convinced than ever that Mr. Browder and the common people of our land will win out in the end, no matter what the cost.

Mr. MURPHY. I am quite sure I could have made that statement.

Mr. ARENS. Did you know at that time that Mr. Browder was a member of the Communist conspiracy?

Mr. MURPHY. I refuse to answer that on the grounds previously stated.

Mr. ARENS. I lay before you a photostatic copy of the article I just mentioned appearing in the New Masses in April 1941, and ask you if you wrote that article?

Mr. MURPHY. This could be the reprint of a letter that I wrote.

(Document marked "Exhibit No. 60," see appendix, p. 7198.)

Mr. ARENS. That is what I mean.

Mr. MURPHY. You said did I write that article. There is a difference.

Mr. ARENS. I beg your pardon.

Mr. SCHERER. What difference?

Mr. MURPHY. Surely you should know as a person who writes an article as a newsman I know the difference. The person who writes a letter and has it printed is not necessarily an article unless it is clear.

Mr. SCHERER. Let us not quibble.

Mr. MURPHY. I am not quibbling. I am here, Representative Scherer, being smeared and being placed in a position as a Negro who still is not free and you tell me about quibbling.

Mr. ARENS. Would you tell us whether or not you were on the committee to elect Ben Davis in New York City?

Mr. MURPHY. I am quite sure I could have been.

Mr. ARENS. Do you know whether or not Ben Davis is and was at the time you were on the committee to elect him a member of the Communist conspiracy?

Mr. MURPHY. I think Ben Davis ran on the Communist Party ticket and was elected.

Mr. ARENS. Were you on the committee to support him?

Mr. MURPHY. I am sure I must have been on the committee.

Mr. ARENS. Did you know at the time he ran he was a Communist?

Mr. MURPHY. I just got through saying that he ran on the Communist Party ticket.

Mr. ARENS. Did you contribute to a book entitled "Inside Story of the Legion," which attacks the American Legion?

Mr. MURPHY. Let me see the book. I am sure I could have. I don't know. I would have to look at it to see because I have always regarded the American Legion as an organization which by no means

gave Negro veterans their rights and does not even today. It discriminates against them. I could have.

Mr. ARENS. Did you participate in the formulation of that book which attacks the American Legion?

Mr. MURPHY. You asked the question did I participate in the formulation of this book?

Mr. ARENS. Yes.

Mr. MURPHY. This seems to be an acknowledgment of people who talked to the author of the book. So what do you mean?

Mr. ARENS. Did you contribute to that book, give material to the author?

Mr. MURPHY. I am sure I talked to the author of this book about my views about the American Legion.

Mr. MOULDER. Are the quotations in the book an expression of your views?

Mr. MURPHY. He would have to identify those quotations.

Mr. MOULDER. I mean the point he refers to in the book.

Mr. SCHERER. He has already answered it.

Mr. FORER. It is just an introductory page of acknowledgments.

Mr. MURPHY. This author, I am sure, discussed the whole question of the Negro veterans' attitude toward the American Legion?

Mr. ARENS. Have you been a sponsor for the American Youth for Democracy?

Mr. MURPHY. I am quite sure I could have been.

Mr. ARENS. Have you been a sponsor of the American Youth for Democracy?

Mr. MURPHY. Have you got anything to show me?

Mr. ARENS. I will lay before you a document, Tribute to Jewish Youth, on the occasion of the fourth anniversary of American Youth for Democracy, in which appears a list of sponsors, including George B. Murphy, Jr., and ask you if you are he?

(Witness consults with his counsel.)

Mr. MURPHY. Yes, my name appears there.

Mr. ARENS. Did you participate in a joint statement to the President of the United States and the Attorney General on behalf of the national leaders of the Communist Party who were arrested under the Smith Act and subsequently tried and convicted?

Mr. MURPHY. I am sure I did that.

Mr. ARENS. I lay before you now of photostatic copy of The Worker, Sunday, August 29, 1948. One of the endorsers of a statement of Negro-Americans to the President and the Attorney General is George B. Murphy, Jr. Are you the "Murphy" listed as an endorser?

Mr. MURPHY. Yes, that is my name.

Mr. ARENS. Who solicited you to sign that?

Mr. MURPHY. I don't remember. I am quite sure if I received a communication it might have come from the members who were getting up the list, but I don't recall any individual who solicited me. That would be in conformity with my views of defending these people.

(Document marked "Exhibit No. 61a, b," see appendix, pp. 7199, 7200.)

Mr. ARENS. Who solicited you to participate in the Progressive Party program? I understood you to say that you were an officer or an employee of the Progressive Party for some time.

Mr. MURPHY. Yes, that is right. I don't recall exactly how I came to be employed.

Mr. ARENS. Who was your immediate superior?

Mr. MURPHY. Mr. Beany Baldwin, C. B. Baldwin.

Mr. ARENS. Do you know whether or not Mr. Baldwin is or has been a member of the Communist Party?

Mr. MURPHY. Not to my knowledge.

Mr. ARENS. Have you ever been identified with the Southern Conference for Human Welfare?

Mr. MURPHY. I certainly have. I want to state here that not only was I identified with it but I supported its ideas because there again, this Southern Conference, even though it has been pilloried and slandered through the years, the great work that conference did helped to give our people a sense of confidence of their rights in the South where even today people are being killed and denied the right to vote, and that again I want to refer to the fact that in terms of feeling about their Americanism, Mr. Chairman, I think it is of the highest sort.

Mr. SCHERER. Let me say to you, sir, listening to you today, that it makes it very difficult—persons like you make it very difficult for persons like me who all our legislative lives have supported the civil rights legislation and have supported the things you say you are fighting for—you just make it so much more difficult and our task so much more difficult.

Mr. MURPHY. Representative Scherer, my reply to that would be this: I have listened to you. My reply to that would be I am really not concerned how difficult it makes it for you, Representative Scherer. I am concerned about my rights and the rights of my people. I am not concerned about niceties of feelings when you are dealing with 17 million people, many of whom have been lynched and denied the right to vote and even in the last elections denied the right to vote. I don't think your remarks in that respect, though I have respect for your feelings, are on a level with my feelings.

Mr. SCHERER. No, it just hurts your people. You hurt your people.

Mr. MURPHY. I don't think I do hurt my people at all. I have never had any feeling that I would lift my hand and have it cut off before I ever felt I would do anything to hurt my people. That is your opinion, Representative Scherer.

Mr. ARENS. Are you concerned about the activities in the United States of the Communist conspiracy?

Mr. MURPHY. I don't know what you are talking about when you say "Communist conspiracy."

Mr. ARENS. Are you concerned with the Communist Party activities in the United States?

Mr. MURPHY. I am concerned with fighting for the rights of my people and joining whatever groups which in my view help push forward and develop the ideas of a Declaration of Independence and the Constitution and the Bill of Rights which my people also helped with their blood to put into the Constitution. That is where I stand on that question.

Mr. MOULDER. In connection with that statement, do you think the Communist Party represents the principles that you have just stated?

Mr. MURPHY. I have never felt in my life, Mr. Moulder, under any circumstances, privately or publicly, that in my view the Communists could be construed as people who are doing anything against the rights of my people.

Mr. MOULDER. I mean do you think they are the champions and do you think that they are the party that would be the solution to what you complain about?

Mr. MURPHY. On the question of whether or not they would be the solution that is a matter for history to decide. We are not yet free. So I cannot come to a final conclusion on that.

Mr. ARENS. Have you been a participant in a civil rights session attacking the FBI?

Mr. MURPHY. What is the name of that?

Mr. ARENS. Call to a Bill of Rights Conference, in New York City in July 1949. I lay before you documents which might refresh your recollection.

(Documents marked "Exhibits No. 62a-d," see appendix, pp. 7201-7204.)

Mr. MURPHY. I want to be sure which question you are asking.

Mr. ARENS. That is the meeting.

Mr. FORER. He is talking about my speech at some conference.

Mr. MURPHY. I want to say this about that: I am quite sure that as a Negro who has also had visited on him on the streets even in Washington, as well as FBI agents coming to his office questioning his Americanism, I would be a part of such a committee because I don't think under any circumstances that that kind of a situation, attacking me, a citizen in the community here, and attempting to make me feel among my own people, among the community, that I am some kind of a spy or some kind of un-American person.

That is what I meant, Representative Moulder, when I said this record of this committee attempts to delimit how and under what circumstances within the framework of the Constitution the Negro people in this country may protest for their rights. It denies them the right to support other political organizations which may be in disrepute but who they feel honestly are moving in the direction of giving us our rights.

Mr. SCHERER. The FBI called on you not because you are a Negro. Don't try to leave that impression.

Mr. MURPHY. You are not defining for me why I believe the FBI called on me. Why they called on me partly because I am a Negro. Certainly they did that. They hope to scare this Negro and scare others.

Mr. SCHERER. Let me get it in the record. They called on him because he was a member of the Communist conspiracy.

Mr. MURPHY. That is your opinion about it. That is what I mean about the white supremacy attitude. You are expressing it right now. You have no respect for what Negroes feel or think. Just what Representative Scherer thinks must go. I don't agree with that.

Mr. SCHERER. A typical Communist speech.

Mr. MURPHY. That is also covering up the genuine conspiracy that I am talking about. So you think when a Negro stands up before a committee of Congress and defends the rights of his people and their right of free association it becomes a Communist speech. You don't answer the question why you haven't called the White Citizens' Council, the Ku Klux Klan in here, and these groups that have organized here to despoil the Washington school system. You don't answer that question. You merely give me your opinion about me. That is your freedom of action to do. And my freedom to reject it.

Mr. SCHERER. Your speech now indicates why I said men like you of the Negro race make it difficult for men like me, who have fought for the very things you say you are fighting for, to do something.

Mr. MURPHY. I don't believe you, Representative Scherer. I don't believe you.

Mr. SCHERER. Let me tell you this——

Mr. MURPHY. You may shout from the housetops and I would refuse to believe you.

Mr. ARENS. I lay before you a photostatic copy of an article in the New York Times of July 17 and 18, 1949, in which another Bill of Rights Conference was held in New York City and a resolution calling for restored civil liberties for members of the Socialist Workers Party, a Trotskyite organization, was decisively rejected by 800 delegates to the conference. Were you in attendance at that conference in which they decisively rejected the civil rights of the Trotskyite branch of the Communist Party?

Mr. MURPHY. I am quite sure I could have been present.

(Document marked "Exhibit No. 62a, b," see appendix, pp. 7205, 7206.)

Mr. ARENS. Was it your position that they should not restore the rights of the Trotskyite branch of the Communist Party?

Mr. MURPHY. I didn't express any position one way or the other, as I recall.

Mr. ARENS. What is your position now?

Mr. MURPHY. I refuse to answer that question on the basis of the fifth amendment as I have indicated before.

Mr. SCHERER. This man becomes strangely silent when we ask him the pertinent questions but he makes long speeches with great vigor otherwise.

Mr. MURPHY. I am not going to sit here and accept those snide remarks from you. Yes, I am not making speeches, I am testifying. Because I testify a little loudly that becomes a speech. That is what many white people in this country who want to deny Negroes their rights attempt to do. "You must speak softly. You must do it the way we within our white supremacy attitude feel is the proper way." That is what you are saying. That is my reply to you about your remarks about me.

Mr. ARENS. Are you a member of the National Nonpartisan Committee To Defend the Rights of the 12 Communist Leaders?

Mr. MURPHY. I am not now, as I recall, a part of any such committee.

Mr. ARENS. Were you at any time?

Mr. MURPHY. I might have been.

Mr. ARENS. I lay before you a document which includes a list of persons in the process of formation of that committee, wherein your name appears. I ask you whether or not you were a member of that organization?

Mr. MURPHY. If my name is on there I was a member.

(Document marked "Exhibit No. 64a, b," see appendix, pp. 7207, 7208.)

Mr. ARENS. Did you participate in a National Legislative Conference on Naturalization and Deportation held January 25-26, 1948, under the auspices of the American Committee for Protection of Foreign Born here in Washington? I lay before you a photostatic copy of its program.

Mr. MURPHY. This is back in 1948, but I am quite sure I was a member of the committee then.

Mr. ARENS. Did you participate in the establishment of a National Committee for the Protection of West Indian Americans under the auspices of the American Committee for Protection of Foreign Born in 1951?

Mr. MURPHY. I am sure I was.

Mr. ARENS. Mr. Green was on the stand earlier today and was a little bashful about some of these organizations created by the American Committee for Protection of Foreign Born. Can you tell us some of the organizations which that committee recruited in order to effectuate its legislative or political program?

Mr. MURPHY. I don't know of any such organizations.

Mr. ARENS. Did the American Committee for Protection of Foreign Born have an auxiliary or branch in New York City?

Mr. MURPHY. I don't know. They might have.

Mr. ARENS. You were honorary chairman?

Mr. MURPHY. An honorary chairman does not know all the detail workings of an organization.

Mr. ARENS. Did you know whether the American Committee for Protection of Foreign Born had a branch in Los Angeles?

Mr. MURPHY. They might have. I am quite sure they might have.

Mr. ARENS. Did they have a branch in the Midwest?

Mr. MURPHY. I don't know for a fact about all of these places.

Mr. ARENS. Tell us about those that you do know about.

Mr. MURPHY. I don't know of any as a fact.

Mr. ARENS. Do you know Pearl Hart?

Mr. MURPHY. Yes.

Mr. ARENS. Where was she from?

Mr. MURPHY. As far as I know she was from Chicago and she is an estimable lawyer.

Mr. ARENS. Do you know whether or not she is a member of the Communist Party?

Mr. MURPHY. I refuse to answer that on the basis I indicated in the past.

Mr. ARENS. Did you participate in the formulation of any of these subsidiary organizations, which the testimony thus far shows to be over 100 which were created by the American Committee for Protection of Foreign Born?

Mr. MURPHY. No.

Mr. ARENS. What is your present relationship to the American Committee for Protection of Foreign Born?

Mr. MURPHY. I am a sponsor.

Mr. ARENS. How long have you been disassociated with position of honorary chairman?

Mr. MURPHY. As I answered before, I think it is a little or so ago. I said I could not give the time when I was no longer cochairman.

Mr. ARENS. Now, I invite your attention to a document bearing date of December 11, 1954, which pertains to a National Conference to Defend the Rights of the Foreign Born Americans under the auspices of the American Committee for Protection of Foreign Born. "The conference banquet was held on Saturday evening. George B. Murphy, Jr., of Washington, D. C., presided." Do you recall that conference?

(Document marked "Exhibit VI," see appendix, pp. 8372-8405.)

Mr. MURPHY. What was the date?

Mr. ARENS. 1954 in December.

Mr. MURPHY. If it said I presided I am sure I did. In my capacity as honorary cochairman I presided at a number of conferences.

Mr. ARENS. The speakers included Alec Jones, executive secretary of the New York Committee for Protection of Foreign Born. Did you know him?

Mr. MURPHY. Yes.

Mr. ARENS. Did you know him as executive secretary of that organization?

Mr. MURPHY. I don't know whether he was executive secretary at that time or not. He might have been.

Mr. ARENS. Did you know whether or not he was a Communist?

Mr. MURPHY. I refuse to answer that question on the basis of the fifth amendment as I indicated in the past.

Mr. ARENS. How about Yanez, secretary of the Eastside Los Angeles Committee for Protection of Foreign Born? Did you know her?

Mr. MURPHY. I don't recall the name. There are a number of people I didn't know personally.

Mr. ARENS. Do you know Harriet Barron?

Mr. MURPHY. Yes; I know her very well.

Mr. ARENS. Do you know whether or not she was a member of the Communist conspiracy?

Mr. MURPHY. I refuse to answer that on the basis of the fifth amendment.

Mr. ARENS. Did you know Pettibone Smith?

Mr. MURPHY. The name is not "Pettibone Smith." The name is Prof. Louise Pettibone Smith. She at one time was cochairman with me for the Committee for Protection of Foreign Born.

Mr. ARENS. Did you know Saul Grossman?

Mr. MURPHY. Yes.

Mr. ARENS. Do you know whether or not he was a member of the Communist conspiracy?

Mr. MURPHY. I refuse to answer that question on the basis of the fifth amendment as indicated.

Mr. ARENS. You held a number of panels. You had a panel on organized labor which was reported on by Louis Weinstock. Did you know him?

Mr. MURPHY. Yes.

Mr. ARENS. Did you participate in this session?

Mr. MURPHY. I don't recall offhand.

Mr. ARENS. Do you know whether he was a member of the Communist conspiracy?

Mr. MURPHY. I refuse to answer that question on the basis of the fifth amendment as indicated.

Mr. ARENS. Did you know Frank H. Nchuk?

Mr. MURPHY. Not offhand.

Mr. ARENS. Did you know Saul Grossman?

Mr. MURPHY. I already answered that question in the affirmative.

Mr. ARENS. Did you know Constantine Ossip?

Mr. MURPHY. I don't recall the name.

Mr. ARENS. Did you know Leroy Fisher?

Mr. MURPHY. I don't recall the name.

Mr. ARENS. Wasn't Ossip treasurer of the committee?

Mr. MURPHY. I don't recall the name I said.

Mr. ARENS. Did you know Evelyn Abelson?

Mr. MURPHY. Not offhand, I don't remember.

Mr. ARENS. Did you know Helen Lewis?

Mr. MURPHY. I don't recall that name offhand.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that would conclude the interrogation of this witness.

Mr. MOULDER. Thank you all.

(Witness excused.)

Mr. NEEDLEMAN. I am Isidore G. Needleman, attorney, I represent a Negro witness who if she does not return to New York and misses another day would lose her job. I respectfully urge you call her at this time.

Mr. ARENS. We would like to have Mrs. Funn take the stand.

Mr. MOULDER. We will take Mrs. Funn and then call your client. Mrs. Funn, I believe, your name is now, Mrs. Swan.

Mrs. Swan, do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SWAN. I do.

TESTIMONY OF MRS. DOROTHY FUNN SWAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. SWAN. My name is Dorothy Swan. From Jamaica, N. Y. I am a teacher in the schools of the city of New York.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mrs. SWAN. Yes, I have.

Mr. ARENS. Kindly tell the committee in résumé form the period of your membership in the Communist Party and a thumbnail sketch of your career in the party.

Mrs. SWAN. I joined the Communist Party in May 1939 and I left the Communist Party in the latter part of December 1946. During the time of my membership in the Communist Party up until February 1 of 1943 I was simultaneously a teacher in the New York City school system. I resigned in 1943 and did not become a part of the New York City school system again until February 1947. My Communist activity consisted of acting as the executive secretary of the Brooklyn Council of the National Negro Congress, approximately in 1940 and 1941.

I then acted as the administrative secretary of the National Negro Labor Council, also a Communist-front organization, from approximately September 1942 to about July of 1943. In 1943, November, I became the legislative representative of the National Negro Congress and came to Washington and was in and out of Washington, establishing residence here, however, for the period of November 1943 until December 1946.

Mr. ARENS. During the course of your membership in the Communist Party did you have occasion to make the acquaintanceship of a person by the name of George B. Murphy?

Mrs. SWAN. Yes, I did. When I became the executive secretary of the Brooklyn Council of the National Negro Congress Mr. Murphy was the administrative secretary, nationally, of the organization with offices here at that time in Washington, D. C.

Mr. ARENS. Did you know whether or not Mr. Murphy was a member of the Communist Party?

Mrs. SWAN. I did not know it immediately upon my going into the National Negro Congress but subsequently I did find out that he was a member of the Communist Party, due to the fact that we met in closed Communist Party meetings with Communist Party members only. Some of those meetings had to do with the policy to be laid down and carried out by the National Negro Congress Communist Party members working in the National Negro Congress.

Mr. ARENS. Do you here and now identify George B. Murphy, the man who preceded you to the witness stand, as a person known by you to have been a member of the Communist conspiracy?

Mrs. SWAN. I do, sir.

Mr. ARENS. For the purpose of identification, are you of the Negro race?

Mrs. SWAN. I am. May I also say that Mr. Murphy's expressions today were the feelings of perhaps many of us in the years past and the reason for many of us having joined the Communist Party, but I cannot associate with his expressions today and I do not feel that he speaks for anyone but himself.

Mr. MOULDER. But he seeks to defend his position by claiming he is a Negro.

Mrs. SWAN. That is his say-so. I just am speaking for myself. I cannot go along with the statements made here today, made by him, as far as I am affected.

Mr. ARENS. During the course of your membership in the Communist Party, did you know a person by the name of Dorothy Strange?

Mrs. SWAN. I did.

Mr. ARENS. Did you know her as a member of the Communist Party?

Mrs. SWAN. I did.

Mr. ARENS. Do you here and now identify Dorothy Strange who, to your certain knowledge, was a member of the Communist Party?

Mrs. SWAN. I do.

Mr. ARENS. How did you first know her?

Mrs. SWAN. I met her first in November of 1943 in Washington, D. C. I was told by Edward Strong, the executive secretary of the National Negro Congress, who employed me to become the legislative representative here, that I would go to Washington and make contact with one of our people, meaning one of our Communist Party members. This person, Dorothy Strange, would be the one who would arrange my contacts with the members of the Communist Party in leadership here in Washington, D. C. I came to Washington.

I met Dorothy Strange and it was through her that I did meet the organizer for the Washington Communist Party, who sat down with Dorothy Strange and me and planned how we should organize the Washington Council of the National Negro Congress and some of my responsibilities as legislative representative on the national scale for the same organization.

Mr. ARENS. Is Dorothy Strange in the hearing room?

Mrs. SWAN. She was.

Mr. ARENS. Would you kindly stand, Mrs. Strange?

(Woman stands.)

Mrs. SWAN. That is the young lady I knew as Dorothy Strange, who became administrative secretary of the Washington Council of the National Negro Congress at that time.

Mr. ARENS. Do you here and now identify the lady who stood up in the second row of the hearing room as a person who was known by you to be a member of the Communist conspiracy?

Mrs. SWAN. I do.

Mr. ARENS. During your membership in the Communist Party and in your activity in the National Negro Congress, did you reach a conclusion in your own mind respecting the sincerity of the Communist Party to serve the legitimate interests of the Negro race?

Mrs. SWAN. I came to a very definite conclusion that the Communist Party was not the organization to serve the best interests of the Negro race. The Communist Party had one thing in mind and that was the violent overthrow of the Government of the United States and they would use whatever means they found at hand or that were made available to carry through their particular conspiracy against the Government of the United States. I feel that I as many other Negroes, were a pawn in the hands of the leaders of the Communist Party during the time that I was a member of it.

For those reasons, and others of the same kind, I disassociated myself from the Communist Party and went back to the work that I felt I belonged in and should never have left.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

Mr. SCHERER. Thank you, Mrs. Swan.

Mr. MOULDER. We want to express our appreciation for your sincere and frank testimony and may I add that I wish to compliment you for your statement in defense of the Negro people. Our observation is that there are far less members of the Communist Party who are Negroes in proportion to the population than any other people.

Mrs. SWAN. Thank you.

Mr. MOULDER. I think that Mr. Murphy's testimony was not because of being colored but because of his philosophy, and he defends it by saying it is because he is a Negro and gaining sympathy.

Mrs. SWAN. I don't know what you want to say but I am in complete agreement with you. I should say, yes, sir.

Mr. SCHERER. I want to concur that the testimony before this committee has shown conclusively that the Negro race has resisted more than any other group, the attempts of the Communist Party to make them pawns, as you have just testified.

Mr. MOULDER. Because of their grievances, and I would say, just grievances.

(Witness excused.)

Mr. ARENS. The next witness will be Dorothy Strange.

Mr. MOULDER. Mrs. Strange, do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth so help you God?

Mrs. STRANGE. I do.

**TESTIMONY OF MRS. DOROTHY S. STRANGE, ACCOMPANIED BY
COUNSEL, ISIDORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. STRANGE. My name is Dorothy Strange. I live in New York, at 601 West 149th Street, New York City. I work at the Long Island College Hospital.

Mr. ARENS. How long have you worked there?

Mrs. STRANGE. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. You didn't understand me, I am sure.

Mr. MOULDER. He asked you how long you had worked there?

Mrs. STRANGE. Not quite 2 years.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you by the House Un-American Activities Committee?

Mrs. STRANGE. Yes.

Mr. ARENS. You are represented by counsel?

Mrs. STRANGE. Yes.

Mr. ARENS. Kindly identify yourself, Counsel.

Mr. NEEDLEMAN. Isidore G. Needleman.

Mr. ARENS. Mrs. Strange, did you hear the testimony a few moments ago of Mrs. Swan before this committee?

Mrs. STRANGE. You mean Funn?

Mr. ARENS. Yes. F-u-n-n. She was under oath and identified you as a Communist. Was she lying or telling the truth when she identified you as a Communist?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. What was your employment immediately prior to your present employment in the hospital?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. You worked for the American Committee for Protection of Foreign Born in New York City; did you not?

Mrs. STRANGE. I refuse to answer that question on the basis of the aforesaid statement.

Mr. MOULDER. On any other questions you wish to claim the privilege under the Constitution, you may say you decline to answer for the same reasons previously stated.

Mr. ARENS. Mr. Abner Green testified before the Subversive Activities Control Board that you were at one time director of the naturalization aid service of the National Committee for Protection of Foreign Born. Was he lying or telling the truth?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. MOULDER. For the same reasons?

Mrs. STRANGE. For the same reasons.

Mr. ARENS. I want to lay before you, Mrs. Strange, a photostatic copy of an article in the Daily Worker, New York, of November 13, 1944. In this article the following appears:

Dorothy Strange, press director of the Communist Political Association, in Washington, D. C., is one of several instructors in a class for members being

conducted by the United Cafeteria and Restaurant Workers Local 471 in the Capital.

Look at that article if you please and tell us if you are the person who was conducting those classes?

Mrs. STRANGE. I refuse to answer that question for the stated reasons.

Mr. ARENS. Have you ever been associated with the National Negro Congress?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of an article appearing in the Washington Times Herald of August 15, 1944, in which the following appears:

Mrs. Dorothy S. Strange, Negro feminist and student of racial politics, has been named press director of the Communist Political Association of Washington, it was announced yesterday. A graduate of Miner Teachers College, Mrs. Strange is a member of the Washington Council of the National Negro Congress. * * *

This is dated August 15, 1944. I lay that document before you and ask if you are the person identified in that document?

Mrs. STRANGE. I refuse to answer this question on the aforesaid reasons.

(Document marked "Exhibit No. 65," see appendix, p. 7209.)

Mr. ARENS. What is your education?

Mrs. STRANGE. I refuse to answer that question for the same reason.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that she be ordered to answer the question as to her education.

Mr. MOULDER. The witness is directed to answer.

(Witness consults with her counsel.)

Mr. MOULDER. Counsel is referring to your formal education and schooling, if any.

Mrs. STRANGE. You mean that I graduated from the schools in Washington?

Mr. MOULDER. Yes; your formal education in schools.

Mrs. STRANGE. Grade school, high school, and college.

Mr. ARENS. What degree do you hold in college? Do you hold an A. B. degree?

(Witness consults with her counsel.)

Mrs. STRANGE. I don't know.

Mr. ARENS. How many years did you spend in college?

Mrs. STRANGE. Four.

Mr. ARENS. Do you know a person by the name of Mary Stalcup Markward?

Mrs. STRANGE. I refuse to answer that question on the basis of the aforesaid statement.

Mr. ARENS. Mary Stalcup Markward identified you as a Communist before this committee while she was under oath. Was she lying or telling the truth?

Mrs. STRANGE. I refuse to answer that question for the same reason I stated before.

Mr. ARENS. Tell us what you have done in the course of the last several years in the line of public speaking. You seem to be a little shy before the committee. Tell us, have you been engaged in addressing rallies and groups over the country?

Mrs. STRANGE. Your honor, I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Have you as a member of the Washington Peace Mobilization addressed a Youth Congress meeting in Maryland?

Mrs. STRANGE. I refuse to answer that question for the aforesaid reasons.

Mr. ARENS. Do you speak Spanish?

(Witness consults with her counsel.)

Mrs. STRANGE. No; I don't speak Spanish.

Mr. ARENS. Have you been in charge of an office of the American Committee for Protection of Foreign Born—its Spanish-American section, for the Spanish-speaking communities in New York City?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy—an article from *The Lamp* (issue 70, December 1951-January 1952), the official publication for the American Committee for Protection of Foreign Born, stating:

Mrs. Dorothy Strange, naturalization aid director for the American Committee for Protection of Foreign Born will head the office to handle the special problems of the West Indian and Spanish-speaking communities.

Look at that article and tell us whether or not you are that individual?

Mrs. STRANGE. I still refuse to answer the question on the basis of the fifth amendment.

(Document marked "Exhibit No. 66a, b," see appendix, pp. 7210, 7211.)

Mr. ARENS. Do you know Rose Nelson?

Mrs. STRANGE. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. I lay before you a photostatic copy of an article appearing in the *Daily Worker*, April 25, 1952, which says in effect, "a speaker at a luncheon honoring Rose Nelson will be Mrs. Dorothy S. Strange, naturalization aid director of the American Committee for Protection of Foreign Born." I ask you if you are that person?

Mrs. STRANGE. Your honor, I still refuse to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this concludes the staff interrogation of this witness.

Mr. MOULDER. Mrs. Strange, you are excused as a witness. You may claim your witness fees with the clerk of the committee.

(Witness excused.)

Mr. MOULDER. The committee will stand in recess until 10 a. m., in the morning.

(Thereupon, at 5:10 p. m., November 12, the committee recessed, to reconvene at 10 a. m., Tuesday, November 13, 1956.)

COMMUNIST POLITICAL SUBVERSION

TUESDAY, NOVEMBER 13, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The subcommittee met, pursuant to recess, at 10:15 a. m., in the caucus room; Old House Office Building, Hon. Gordon H. Scherer, presiding.

Committee members present: Representative Scherer, of Ohio.

Staff members present: Richard Arens, director; Donald T. Appell, investigator.

Mr. SCHERER. The committee will come to order. Counsel may proceed.

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. ARENS. Mr. Lautner, you were sworn yesterday?

Mr. LAUTNER. That is correct.

Mr. ARENS. During the course of your service in the Communist Party, Mr. Lautner, did you have an opportunity to gain information respecting the emphasis by the Communist Party in nationality groups and the organizational structure of the Communist Party in undertaking to take over nationality groups?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you kindly explain to the committee what this structure is, and the techniques and objectives of the Communist Party in that regard?

Mr. LAUTNER. It so happens that for a number of years I was assigned by the party on this specific phase of activity, being a member of the nationality groups commission of the Communist Party. It was always emphasized how important it was for the party to do work, Communist activity, in the nationality groups. The main reason projected at all times was the fact that in the basic industries of the country, such as mining, steel and metal, auto, rubber, textile, the largest segments of the nationality groups were occupied in these industries. In order to successfully build the party influence in the basic industries, it was necessary to expand the work of the Communist Party in these nationality groups. The Nationality Groups Commission of the Communist Party was that subcommittee which gave direction, guidance, and supervision for party policies and party activities for the central committee in the nationality groups.

The nationality groups commission was composed of leading Communist Party members who were drawn in from the various national-

ity groups of the Communist Party, such as bureau secretaries, editors of Communist papers in the various nationality groups. These were the members of the Nationality Groups Commission.

In the main it was their function to interpret the party decisions as to the day-to-day tactical activities of the party to these nationality group bureaus.

The Communist Party had a nationality group bureau in the main nationality groups of the country. These bureaus were supervised by the nationality groups commission. The nationality groups commission also supervised and checked the newspapers, the Communist papers in the various national groups, as to how they reflected on the day to day tactical policies of the Communist Party.

The nationality groups commission sponsored conferences in various national groups. These conferences were aimed to extend the influence of the Communist Party in that particular national group among the various mass organizations that were built up in these respective nationality groups throughout the country.

For example, in the Hungarian national group, the Hungarian bureau from time to time tried to involve many so-called outside organizations who were not influenced by the Communist Party in various types of united front activities.

Mr. ARENS. What would be an example of a united front activity in which the Communist Party would undertake to involve the nationality groups?

Mr. LAUTNER. United front activities that were projected by the Communist Party itself, such as a united front against fascism, united front against so-called repressive legislation, united fronts to build the trade union movement in the various nationality groups. It depends on what the party policy or party technique was at that particular moment when these conferences were projected or these conferences were called.

One of the biggest united fronts that I recall was during the war that was built through the Nationality Groups Commission, or initiated by the Nationality Groups Commission—the All-Slav Congress that was built up just before the war, and during the war when it had its biggest successes calling big mass conferences. I recall at one of the conferences a Russian general was invited as one of the principal speakers from the Soviet Union. The Nationality Groups Commission was the leader and guide for all the activities in the various nationality groups in this particular phase of activity of the Communist Party.

Mr. ARENS. On the basis of your background and experience, could you tell the committee the number of people in nationality groups who were under direct or indirect discipline of the Communist conspiracy?

Mr. LAUTNER. Some mass organizations were completely under the domination of the Communist Party. Such a mass organization was the International Workers Order, which at one time had well over 160,000 members. There were other mass organizations that were also built and were dominated by the Communist Party, but in the main it was a very fluid and flux situation aiming to build the widest possible contact through united-front activities where the party could exert its influence over large segments of the so-called nationality groups of this country.

Mr. ARENS. Could you give us just a word description of what is a united front in Communist Party parlance.

Mr. LAUTNER. A united front is a coalition around specific issues of various trends and groups that do not think basically alike, but on specific issues they will agree to coalesce and work together in order to achieve certain objectives laid down on the basis of specific situations. This is what is known as a united-front approach, or a united-front activity. It does not necessarily mean that if the Communist Party succeeds in drawing into united-front activities certain groups that these groups will agree with the fundamental aims or objectives or principles of the Communist Party. It only means that on a certain line of action these groups get together, whether they know the sponsorship of this line of action or not. That is not the important thing. They get together and unite in action.

Mr. ARENS. Mr. Lautner, this series of hearings, as the chairman announced yesterday, is to consider the Communist counterattack against the various legislative and executive programs of the Government designed to deal with the Communist menace in this country. Yesterday one phase of that counterattack was with respect to the activities of the American Committee for Protection of Foreign Born, and certain of its subsidiary organizations, and organizations which it was able to create and penetrate.

I should like to ask you on the basis of your background and experience what part the American Committee for Protection of Foreign Born played in this united-front tactic which you have just been describing.

Mr. LAUTNER. As far as the Protection of Foreign Born as an organization is concerned, it was completely dominated and controlled by the Communist Party as one of its so-called transmission belts or bridge organizations. When the Protection of Foreign Born projects any line of action, united-front activities involving other groups around specific issues, that means the party initiates—the party initiates—the particular action, and the Protection of Foreign Born was designated as an organization to carry out that activity for the Communist Party. It may be that some of these groups that coalesce with the Protection of Foreign Born on specific issues do not know the source and the driving initiative that brought this coalition about or is attempting to bring this coalition about. It may be a valid action. Nevertheless, it is being led and directed by the Communist Party.

Mr. ARENS. Did the American Committee for Protection of Foreign Born during the course of your experience in the Communist Party create other organizations and penetrate other organizations which they could use for the objectives of destroying the immigration system?

Mr. LAUTNER. To my knowledge from time to time temporary committees and organizations were organized at all times.

Mr. ARENS. Why would the Communist Party seek first of all to penetrate the nationality groups in this country, and secondly, to undertake to weaken or destroy our protective immigration system?

Mr. LAUTNER. In the first place, the nationality groups in the eyes of the Communist Party are a very important group in this country.

Most of the nationality groups live in big industrial and urban areas. Nationality groups in the main work in the basic industries. In order to achieve the basic objectives of the Communist Party, that is, to win decisive sections of the working class who are in the basic industries, they have to and must work with the nationality groups and extend their influence among them.

Why are they trying to influence the changes in the basic immigration laws in the United States is quite self-evident. The Communist Party at all times—at all times—tries to tear down any and all protective laws that give protection, that give security to the existing order or system in the United States.

Mr. ARENS. Mr. Lautner, during the course of your experience in the Communist Party, did you make the acquaintanceship of a person by the name of Charles Musil?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you tell us the nature of your acquaintanceship with him?

Mr. LAUTNER. The first time I got acquainted with Charlie Musil is when I joined the Communist Party in 1929. At that time Charlie Musil was the treasurer of that particular Communist Party organization which I joined. It was known as the Yorkville unit of the Communist Party.

Mr. ARENS. Did you know him as a Communist?

Mr. LAUTNER. Yes. He was the treasurer of the Communist Party unit which I joined in 1929.

Mr. ARENS. Do you see Mr. Charles Musil in the hearing room today?

Mr. LAUTNER. Yes. He is sitting in the third row, second from the outside.

Mr. ARENS. During the course of your experience in the Communist Party, did you know a person by the name of Irving Novick?

Mr. LAUTNER. Yes.

Mr. ARENS. Please tell us the nature of your acquaintanceship with him.

Mr. LAUTNER. I think it was late in 1941 when the organizational commission of the party assigned Avro Landy and myself to resolve a problem that developed in the Protection of the Foreign Born at that particular time. There was a dispute between Abner Green and Mr. Novick, who was the party member responsible to the party, and in charge of that particular organization at that time. We sat down with Novick and Abner Green and listened to the differences that they had. On the basis of that hearing, we found that these differences could not be resolved, and as a result Mr. Novick was removed as head of the Protection of the Foreign Born at that time.

Mr. ARENS. Did you know Irving Novick as a Communist?

Mr. LAUTNER. At that time, yes.

Mr. ARENS. Would you look around the hearing room and tell us if you see the person whom you have just identified as a Communist?

Mr. LAUTNER. Yes. He is in the third row, second from the aisle.

Mr. ARENS. During the course of your experience in the Communist Party, did you know a person by the name of Rose Russell?

Mr. LAUTNER. Yes.

Mr. ARENS. Tell us the nature of your acquaintanceship with her.

Mr. LAUTNER. To my recollection the last time I saw Rose Russell was in May 1948. The New York State leadership of the Communist Party called a meeting at 100 Fifth Avenue in the law offices of Unger, Fleischer & Freedman.

Mr. SCHERER. What was that law office?

Mr. LAUTNER. Abe Unger, Dave Freedman, and Louis Fleischer. They were known as the party lawyers.

We had a meeting in the library room. The topic of the meeting was the expulsion of Dr. Bella Dodd from the Communist Party, and what measures to take to destroy the influence of Bella Dodd, particularly among attorneys and in the teaching profession where she enjoyed a lot of influence.

Mr. SCHERER. In what year was this meeting held in which you discussed the expulsion of Bella Dodd?

Mr. LAUTNER. I think it was 1949. All I know is that it was just about 2 months before the end of the school year. We had to race against time to meet with all the schoolteacher groups in the party to explain why the party had to expel Bella Dodd. Rose Russell, among others, was a participant in this meeting as one of the leaders of the party in the educational field.

Mr. ARENS. Mr. Lautner, during the course of your experience in the Communist Party, did you know a person by the name of Hugo Gellert?

Mr. LAUTNER. Yes.

Mr. ARENS. G-e-l-l-e-r-t.

Mr. LAUTNER. Yes.

Mr. ARENS. Please tell us the nature of your acquaintanceship with Hugo Gellert.

Mr. LAUTNER. I attended meetings of—extended bureau meetings—enlarged Hungarian bureau meetings where Hugo Gellert took part. The last time I saw Hugo Gellert is when we had a discussion and he was telling me that he was going to Australia at that time. I think it was somewhere in the late 1940's.

Mr. ARENS. Do you identify him as a person known to you to have been a member of the Communist Party?

Mr. LAUTNER. Yes.

Mr. ARENS. Do you see him sitting in the hearing room today?

Mr. LAUTNER. Yes. He is in the fourth row. I think the second chair from the aisle.

Mr. ARENS. Do you know the man sitting behind Mr. Gellert?

Mr. LAUTNER. Yes. That is Mr. Patterson.

Mr. ARENS. Who is he?

Mr. LAUTNER. He was a former member of the national committee of the Communist Party.

Mr. ARENS. What is his first name, please.

Mr. LAUTNER. William Patterson. Bill Patterson.

Mr. ARENS. He was what?

Mr. LAUTNER. He was head of the CRC, the Civil Rights Congress, for the Communist Party.

Mr. ARENS. How effective was the Communist Party during your experience in the party in influencing the nationality groups of the country?

Mr. LAUTNER. We can gage by the influence of the IWO. Numerically it had about 160,000 members. It was a multinational organ-

ization. They had all sorts of sections in the IWO, like the Hungarian section, the Italian section, Croatian section, Jewish section, and whatnot. Also, in every language, in every nationality group, they had periodicals and newspapers. Some of the national groups had daily newspapers with tens of thousands of circulation.

Mr. ARENS. To what extent did the Communist Party during your experience control the foreign-language press?

Mr. LAUTNER. I recall I read in some party reports that the foreign-language press controlled by the Communist Party had a readership of well over a hundred thousand. That was contrasted with the negligible readership of the Daily Worker. The question was posed, how come the Daily Worker circulation and readership is so small compared to the extremely large, way-out-of-proportion circulation and readership of the language press controlled by the party. Just exactly to what extent the party influence was in the nationality groups, I cannot gage, but possibly the 1948 Progressive Party vote would be one indication, which was close to a million. But it was pretty close to a million in the United States.

Mr. ARENS. Do you identify Rose Russell as a person known by you to be a Communist?

Mr. LAUTNER. Yes; definitely. She attended a State leadership meeting of the Communist Party where strictly party business and nothing else was discussed, and how to deal with the expulsion of Bella Dodd, and what measures to take to make that expulsion stick and be most effective. I can't imagine any reason for a nonparty person to be in on a very confidential meeting of the State leadership.

Mr. ARENS. Were you ever connected with a foreign-language publication of the Communist Party?

Mr. LAUTNER. Yes.

Mr. ARENS. What publication was that?

Mr. LAUTNER. That was the Uj Elore, also known as the New Forward. Later on in 1945 and 1946 I was connected with the Hungarian Daily Journal.

Mr. ARENS. Mr. Lautner, as the chairman announced yesterday, the committee is conducting this series of hearings considering the general subject of Communist political subversion whereby the party has a counterattack against congressional committees, against anti-Communist legislation, and anti-Communist governmental policies. To what extent during your experience in the Communist Party did the Communists have a concerted, organized drive, to discredit congressional committees, to weaken the security provisions of the various laws and programs designed to deal with the Communist menace?

Mr. LAUTNER. In the first place, the Communist Party always attacked congressional committees for various reasons. At this particular time, this is one phase of activity in which a lot of party energy and forces are diverted. The party finds itself quite isolated and evidently they are making a desperate effort to gain public influence and public support on an issue which may be a very potent issue as far as a large section of the American people are concerned, but particularly the nationality groups.

From the party point of view it is a very good issue on which to work and through which to work and influence elements in the nationality groups, and gain new support for the Communist Party.

Mr. SCHERER. To what particular piece of legislation are you referring?

Mr. LAUTNER. The Walter-McCarran Act. There is a lot of criticism and opposition to various sections of that law.

Mr. ARENS. To what extent has the Communist Party been successful in engendering a false fear in the minds of the nationality groups with respect to the security provisions of the Immigration and Nationality Act?

Mr. LAUTNER. I would not know that. I would not know that because I don't pay much attention to the nationality groups at this particular time.

Mr. SCHERER. You got out of the party in 1950. Was that your testimony?

Mr. LAUTNER. That is right.

Mr. SCHERER. You say you do not pay much attention to nationality group problems.

Mr. LAUTNER. In the last few years.

Mr. SCHERER. In the last few years.

Mr. LAUTNER. That is right.

Mr. SCHERER. Have you continued to follow Communist Party activities in the United States?

Mr. LAUTNER. Yes.

Mr. SCHERER. Am I correct in my recollection that recently the Communist Party in Norway and Sweden has denounced the Russians for their conduct in Hungary?

Mr. LAUTNER. The New York Times has an item in this morning's edition where the Communist parties raised certain questions in relation to the Soviet intervention in the internal affairs of Hungary.

Mr. SCHERER. What has the Communist Party of the United States done, if anything, with reference to the recent action of Russia in Hungary?

Mr. LAUTNER. The Communist Party in the United States was talking out of both sides of its mouth in this situation. There are certain trends and developments within the Communist Party in the United States. These trends and developments are in the main on tactical issues, on techniques and not basic principles. As long as all these trends will adhere to the basic aims and objectives and principles of Marxism-Leninism, they are talking out of both sides of their mouth. They are the same group, the same elements that were exposed so many times in the last number of years through various court procedures. There is no fundamental change in their policy.

Mr. SCHERER. In the last week has there been any condemnation of the Russian action in Hungary by the Communist Party of the United States?

Mr. LAUTNER. There was one statement in the Daily Worker by the National Committee on Hungary. That statement was evidently a statement of the majority. Dennis took issue with that statement. There were statements by individuals like John Gates and others pertaining to Hungary. There were other statements in the paper pro and con taking issue with statements that did appear in the Daily Worker. The situation is in a flux as far as unified thinking, or coherent thinking in the Communist Party is concerned. There is a discussion in the Communist Party at the present time dealing with the past mistakes and shortcomings and violations of democracy and

party procedure in the Communist Party, and in the Soviet Union. As I stated before, as long as this group adheres to the basic principles of Marxism-Leninism, there is no qualitative change in this group.

Mr. ARENS. Mr. Lautner, how articulate is the Communist Party in making its demands registered with the Congress and with governmental agencies via these devious front organizations which we have been discussing?

Mr. LAUTNER. They are past masters in all these tricks.

Mr. ARENS. Can you tell us some of the tricks of the Communist Party in having its legislative program and its policies emphasized and brought to the attention of the Congress?

Mr. LAUTNER. The Communist Party normally has a convention every 2 years. At these conventions they discuss the situation as it exists at the time of the convention. They draw the lessons of the past 2 years on their activities. They project a so-called resolution which will serve as a guide in the next coming period. Part of that resolution deals with legislative activities of the party. The party has legislative commissions, legislative directors, that in the main are responsible for carrying out the party activities in this specific field. Legislative conferences are called on the State level and on the national level. Various other individuals and groups are induced to push forward the party policies as they are to be applied in the legislative field, and as they are contained in the resolution adopted by the conventions.

Mr. ARENS. How did they multiply their numerical strength via other groups and organizations?

Mr. LAUTNER. By diligent work and trying to influence and get close to as many individuals and people as possible who partially agree on specific issues with the Communist Party.

Mr. ARENS. Do they create other organizations in front of themselves for that purpose?

Mr. LAUTNER. Yes, always. The party needs these transmission belts and organizations because if the party would have to do all of these things they would be nothing but a sectarian and an ineffective group. They need all types of organizations and groups and people to carry out the party activities.

Mr. ARENS. How would you appraise the strength or effectiveness of the Communist conspiracy in this counterattack, which the chairman commented on yesterday, against the anti-Communist legislation and the anti-Communist committees?

Mr. LAUTNER. How would I—

Mr. ARENS. How would you appraise the effectiveness and strength of their counterattack? Is it serious?

Mr. LAUTNER. It is serious.

Mr. ARENS. How serious is it?

Mr. LAUTNER. It is serious because it has an appeal particularly to that element among the nationality groups that would be personally affected by the Walter-McCarran Act as it stands right now. That segment may listen to the party activity and party program and the voice of the party in this relation. But that effectiveness would be negated and can be negated by exposing the source, and where it comes from and for what reasons.

Mr. SCHERER. Doesn't the seriousness arise from the fact that the agitation for the repeal of anti-Communist legislation is covered up

by the Communist Party through the use of other organizations, rather than the agitation emanating from the Communist Party itself?

Mr. LAUTNER. That is the subversive nature of the whole campaign. They cannot come forward because then they would be isolated and ineffective. They have to employ others to do their work.

Mr. SCHERER. That is, if I, as a Member of Congress, would receive a bulletin or a memorandum dealing with the repeal of some anti-Communist legislation, and that memorandum was signed by the Communist Party, it would go in the wastebasket without my even looking at it.

Mr. LAUTNER. That is correct.

Mr. SCHERER. But a memorandum coming from an organization that has been set up, dominated and controlled by the Communist Party, but bears a seemingly respectable name, like the name of the organization we referred to yesterday—I can't remember the name—Conference for Legislation in the National Interest—a memorandum coming to me from such an organization would receive considerable attention and carry some weight merely because the name appeared to be a sound and attractive name.

Mr. LAUTNER. But that would be only a temporary situation.

Mr. SCHERER. Until I learned that that organization had been set up, controlled, and dominated by the Communists.

Mr. LAUTNER. In a hearing like this.

Mr. SCHERER. That is the purpose of these hearings, to show that such organizations are set up for that purpose.

Mr. LAUTNER. A hearing like this is the best forum to show the source and who are the ones that are involved in this type of activity.

Mr. ARENS. Mr. Chairman, we have no further questions of Mr. Lautner at this time. I respectfully suggest we may want to take a short recess.

Mr. SCHERER. I have no further questions except to say to Mr. Lautner, that the committee is deeply grateful for the valuable information that he has given the Congress. The committee wishes to thank you.

(Witness excused.)

Mr. SCHERER. The committee will recess for 10 minutes.

(Short recess.)

Present following the recess, Representatives Morgan M. Moulder (presiding) and Gordon H. Scherer.

Mr. MOULDER. The committee will come to order, please.

Mr. ARENS. Mr. Charles Musil, will you please come forward. Remain standing while the chairman administers the oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. MUSIL. I do.

TESTIMONY OF CHARLES MUSIL, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MUSIL. My name is Charles Musil, 3417 East 64th Street, New York. I am a newspaperman.

Mr. ARENS. Are you appearing, today, Mr. Musil, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MUSIL. Yes.

Mr. ARENS. Are you represented by counsel?

Mr. MUSIL. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. NEEDLEMAN. Isidore Needleman, 165 Broadway, New York, N. Y.

Mr. ARENS. What is the establishment with which you are presently identified?

Mr. MUSIL. I am a newspaperman.

Mr. ARENS. For what newspaper do you work?

Mr. MUSIL. I decline on the ground of the fifth amendment.

Mr. MOULDER. You decline to answer for what reason?

Mr. MUSIL. On the ground of the fifth amendment.

Mr. ARENS. How long have you been employed at the newspaper where you are presently engaged?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason previously stated.

Mr. ARENS. What was your employment immediately prior to the employment that you have at the present time?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason previously stated.

Mr. ARENS. Do you know a man by the name of John Lautner?

Mr. MUSIL. The gentleman who was up here today?

Mr. ARENS. Yes.

Mr. MUSIL. Yes; I saw him up here today.

Mr. ARENS. Where did you last see him?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Just a little while ago Mr. Lautner took an oath before this committee and said that while he was a member of the Communist Party he knew you as a Communist. Was Mr. Lautner lying or was he telling the truth?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason previously stated.

Mr. ARENS. Do you work for Russky Golos?

Mr. MUSIL. I decline for the same reason.

Mr. ARENS. Where were you born?

Mr. MUSIL. Czechoslovakia.

Mr. ARENS. When.

Mr. MUSIL. December 19, 1900.

Mr. ARENS. When did you come to the United States?

Mr. MUSIL. 1921.

Mr. ARENS. And are you naturalized?

Mr. MUSIL. Yes.

Mr. ARENS. When were you naturalized?

Mr. MUSIL. 1927.

Mr. ARENS. At the time you were naturalized were you a member of the Communist Party?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Did you ever know a man by the name of Vladimir Houdek?

Mr. MUSIL. What is the name, please?

Mr. ARENS. V-l-a-d-i-m-i-r H-o-u-d-e-k.

Mr. MUSIL. To my knowledge I don't know. I couldn't answer yes or no.

Mr. ARENS. Do you know a man by the name of Vrba, who used to be a commercial attaché and head of the Czechoslovakian nationals attached to the consulate in New York City?

Mr. MUSIL. No.

Mr. ARENS. Do you know a man by the name of Matthew Cvetic?

Mr. MUSIL. I saw the name in the papers.

Mr. ARENS. Did you know him in any other way?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Have you ever been identified with the American Committee for Protection of Foreign Born?

Mr. MUSIL. I didn't hear the question.

Mr. ARENS. Have you ever been with the American Committee for Protection of Foreign Born?

Mr. MUSIL. I decline for the same reason stated before.

Mr. ARENS. I lay before you now, Mr. Musil, a letterhead of the American Committee for Protection of Foreign Born, New York City, containing certain typewritten or mimeographed language, in which appears, under the list of officers, "Treasurer, Charles Musil," and I ask if you are he?

(Document marked "Exhibit No. 67," see appendix, p. 7212.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you are or have been treasurer of the American Committee for Protection of Foreign Born you would be supplying information which might be used against you in a criminal proceeding?

Mr. MUSIL. It may.

Mr. SCHERER. What is the answer?

Mr. MUSIL. It may.

Mr. ARENS. I lay before you a photostatic copy of a leaflet of the American Slav Congress, September, 1946, containing a list of a number of persons who sent greetings to the Third American Slav Congress, including Charles Musil, vice president, American Slav Congress of Greater New York. Please look at that, sir, and tell us whether or not you are the Charles Musil alluded to in that document?

(A document was handed to the witness.)

(Document marked "Exhibit No. 68," see appendix, p. 7213.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Have you ever been a member of a club which had something to do with the United Nations?

(The witness consulted his counsel.)

Mr. MUSIL. I don't think so.

Mr. ARENS. Have you ever been identified with the U. N. Club of the Communist Political Association? If you haven't just deny it.

Mr. MUSIL. I didn't get the question.

Mr. ARENS. Have you ever been a member of the executive committee of the U. N. Club of the Communist Political Association?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Do you know Jennie Lenhart?

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Do you know or have you known Zoltan Szucky?

Mr. MUSIL. Could I see the name please?

Mr. ARENS. S-x-u-c-k-y, Zoltan.

Mr. MUSIL. No.

Mr. ARENS. What was the year in which you finished your formal education and began work here in the United States?

Mr. MUSIL. I began work in 1921.

Mr. ARENS. Where did you work?

(Witness consulted his counsel.)

Mr. MUSIL. I couldn't tell you the name of the places where I was working.

Mr. ARENS. Give us just —

Mr. MUSIL. It is 35 years ago.

Mr. ARENS. What was the first place in which you were employed, do you recall the nature of the work?

Mr. MUSIL. It was a cafeteria, and I was working as a dishwasher.

Mr. ARENS. What was your next assignment?

Mr. SCHERER. Mr. Counsel, I cannot hear half of what the witness says.

Mr. MUSIL. I was working in a cafeteria as a dishwasher.

Mr. ARENS. Where was your next job?

Mr. MUSIL. In a machine shop, I think it was. I am not correct on this.

Mr. NEEDLEMAN. So that the record won't be confusing to the witness, may it be understood that he is not necessarily giving them in consecutive order, so that there will be no question of perjury, and he is going to try to recollect, but he may skip a job here and there.

Mr. ARENS. We understand, and we want his principal employment.

Mr. MOULDER. He is testifying to his employment according to his best recollection.

Mr. ARENS. Give us your next job, please?

Mr. MUSIL. I was working as a baker for about 15 years, or 16, or something like that.

Mr. ARENS. That would get us up to around 1940, wouldn't it?

Mr. MUSIL. Yes.

Mr. ARENS. And what was your next job in 1940?

Mr. MUSIL. I decline for the reasons previously stated.

Mr. ARENS. Do you honestly feel if you told us the employment which you had in 1940, you would be supplying information which might be used against you in a criminal proceeding?

Mr. MUSIL. It may.

Mr. SCHERER. Did you say it might be used against you in a criminal proceeding? When did you come to this country?

Mr. MUSIL. 1921

Mr. SCHERER. And you were naturalized when?

Mr. MUSIL. In 1927.

Mr. ARENS. Are you a member of the Communist Party today?

Mr. MUSIL. I decline to answer for the grounds previously stated.

Mr. ARENS. Now, Mr. Musil, according to documents which have already been introduced into this record, there was a National Conference to Repeal the Walter-McCarran Law held in Chicago in 1953. According to these documents, the treasurer of the American Committee for Protection of Foreign Born, Mr. Musil, was one of those present and one of those who gave a report and made an appeal for funds. Do you recall being at that conference in Chicago in 1953?

(See exhibit V, appendix, pp. 8337-8371.)

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reasons as previously stated.

Mr. ARENS. What have you done in your life towards advocating changes of any kind in legislation?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Have you engaged in activities designed to influence legislation?

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. Are you registered under the Lobbying Act?

Mr. MUSIL. What is that? I don't know, what is that?

Mr. ARENS. Are you registered with the United States Congress as a lobbyist?

Mr. MUSIL. No.

Mr. ARENS. Where were you in December of 1955, do you recall?

Mr. MUSIL. I don't recall.

Mr. ARENS. Did you attend a conference in December of 1955 in Detroit?

Mr. MUSIL. I don't recall.

Mr. ARENS. Have you ever been chairman of a Slovak group of any kind?

Mr. MUSIL. I don't recall.

Mr. ARENS. Don't you remember whether or not you were in Detroit in 1955? That was just last year.

Mr. MUSIL. I don't know.

(Witness consulted his counsel.)

Mr. MUSIL. Maybe I was up there, but I don't recall.

Mr. ARENS. Do you recall any trips you made in 1955 last year?

Mr. MUSIL. In 1955?

Mr. ARENS. Yes.

Mr. SCHERER. It is 11 months ago.

Mr. MUSIL. Maybe I did.

Mr. SCHERER. Were you ever in Detroit?

Mr. MUSIL. Yes, I was in Detroit.

Mr. SCHERER. Were you in Detroit last year?

(Witness consulted his counsel.)

Mr. MUSIL. I don't recall.

Mr. ARENS. When were you last in Detroit?

Mr. MUSIL. I don't remember. On the date, I don't recall these dates.

Mr. ARENS. What was the nature of your business when you were in Detroit the last time?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for reasons previously stated.

Mr. ARENS. Were you in Detroit on behalf of the work of the American Committee for Protection of Foreign Born?

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. I lay before you now, Mr. Musil, a document which is a letterhead of the 23d Annual National Conference of the American Committee for Protection of Foreign Born, held in Detroit, Mich., December of 1955, setting forth in this letter and accompanying documents a program of activity of this 23d annual national conference.

Would you kindly look at that material which I have just laid before you, and tell this committee whether or not you were in attendance in that conference?

(Document marked "Exhibit VII." see appendix, pp. 8406-8439.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

Mr. MOULDER. Are there any questions?

Mr. SCHERER. You say you were naturalized in 1927?

Mr. MUSIL. Yes, sir.

Mr. SCHERER. Were you a member of the Communist Party at the time that you became a citizen of the United States?

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. SCHERER. Were you asked at the time you were naturalized whether you were a member of the Communist Party?

(Witness consulted his counsel.)

Mr. MUSIL. I don't know. It was in 1927 and I don't have any recollection of any questions asked at that time.

Mr. SCHERER. If you had been asked that question, what would your answer have been?

(Witness consulted his counsel.)

Mr. MUSIL. I decline for the same reason as previously stated.

Mr. SCHERER. I have no further questions.

Mr. MOULDER. The witness is excused. You may claim your attendance fees by signing a voucher with the clerk.

(Witness excused.)

Mr. ARENS. Mr. Irving Novick, would you please come forward? Please remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NOVICK. I do.

TESTIMONY OF IRVING NOVICK; ACCOMPANIED BY COUNSEL, DAVID COBB

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NOVICK. My name is Irving Novick, and I live at 2526 Yates Avenue, Bronx, N. Y. I have an office as an immigration consultant at 11 West 42d Street.

Mr. SCHERER. I cannot hear the witness.

Mr. NOVICK. I am sorry.

Mr. SCHERER. What did you say, sir?

Mr. NOVICK. The last part, you mean?

Mr. SCHERER. I got as far as you lived on Yates Avenue, in the Bronx, N. Y.

Mr. NOVICK. I have an office as an immigration consultant at 11 West 42d Street, New York.

Mr. ARENS. What is the organization?

Mr. SCHERER. I still didn't understand.

Mr. ARENS. He said he has an office as an immigration consultant. Are you an attorney?

Mr. NOVICK. No, I am not an attorney, but I was admitted to practice before the Immigration Service.

Mr. ARENS. Are you now admitted to practice before the Immigration Service?

Mr. NOVICK. That is correct.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. NOVICK. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. NOVICK. That is correct.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. COBB. My name is David Cobb. I am an attorney in Washington, and my office address is at 1822 Jefferson Place.

Mr. ARENS. What is the name of the organization with which you are affiliated?

Mr. NOVICK. Well, I am not affiliated with any organization as far as my work is concerned. However, I have a trade name, Immigrants Technical Aid Bureau.

Mr. SCHERER. I am sorry.

Mr. ARENS. He says he has a trade name.

Mr. SCHERER. Immigrants Technical Aid Bureau.

Mr. ARENS. How long have you had that trade name?

Mr. NOVICK. Since I opened the office. I believe the exact date is January 23, 1942.

Mr. ARENS. Do you advise people with reference to immigration matters?

Mr. NOVICK. That is correct.

Mr. ARENS. Do you represent people before the Immigration and Naturalization Service?

Mr. NOVICK. That is correct.

Mr. ARENS. Mr. Lautner, would you please stand up?

Mr. NOVICK, a little while ago, Mr. Lautner took an oath before this committee and testified that he had been a member of the Communist Party and while he was a member of the Communist Party he knew you as a Communist. Look at Mr. Lautner and tell us whether or not he was lying or telling the truth.

Mr. ARENS. Well, sir I listened to Mr. Lautner's testimony, and he did not state that he knew me as a Communist. I believe what he said was that he saw me in places in which he presumed I was a Communist.

Mr. ARENS. Mr. Lautner, would you return to the stand, then, so that we can get this record clear, please?

Mr. SCHERER. Before we get Mr. Lautner, let us put the question: Were you ever a member of the Communist Party?

Mr. NOVICK. I am afraid I will have to decline to answer this question on the grounds of the first amendment as it is the privilege of any-

one to have his own opinions, and if this is not sufficient I will invoke the fifth amendment for fear of self-incrimination.

Mr. ARENS. Mr. Novick, look at Mr. Lautner; did you ever know him before?

Mr. NOVICK. I have to explain this, gentlemen, that my memory for faces is not good. Maybe for the reason that I see a lot of people, and maybe just a defect naturally, but I do remember seeing Mr. Lautner and meeting him at Ellis Island, a couple of years, or 2 or 3 years ago. He stopped me, and called me by name, and he called to my attention that he knows me. When I stated that I don't recollect seeing him or knowing him he pointed out that I met him at a Communist meeting concerning the work of the American Committee for Protection of the Foreign Born. I told him then that I have attended many meetings in connection with the work of the American Committee, and it is possible even that he could have placed me before in a Communist meeting, but I did not recall, nor do I recall now, meeting him at any Communist meeting.

Mr. ARENS. Have you ever been identified with the [American] Committee for Protection of Foreign Born?

Mr. NOVICK. That is correct.

Mr. ARENS. In what capacity were you identified with the [American] Committee for Protection of Foreign Born?

Mr. NOVICK. In different positions, sir. I was acting secretary at one time, and I was naturalization aid director most of the time.

Mr. ARENS. What was the period of your service with the American Committee for Protection of Foreign Born?

Mr. NOVICK. It ended at the end of 1941. To make it exactly, maybe it was January of 1942. It began somewhere in the early 1930's, either 1930 or 1933 or 1934.

Mr. ARENS. Do you have any recollection of serving in any closed party meetings with Mr. John Lautner?

Mr. NOVICK. As I mentioned before, I don't recall.

Mr. SCHERER. Did you ever attend any closed party meetings?

Mr. NOVICK. It could be that I attended meetings in connection with the work of the committee.

Mr. SCHERER. I did not ask you that question. My question was, Did you ever attend any closed party meetings, meetings at which no one was admitted except Communists?

Mr. NOVICK. I would decline to answer this question.

Mr. SCHERER. I don't think we even need to ask Mr. Lautner again; his testimony is clear.

Mr. ARENS. There might be—in view of the observations of the witness, there might be some ambiguity.

Mr. SCHERER. We just gave this man an opportunity to say whether Mr. Lautner's testimony was correct, when I asked him whether he was a member of the Communist Party, and he refuses to say whether he was or was not.

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. ARENS. Do you have any doubt that this man, Mr. Novick, was to your certain knowledge a member of the Communist Party?

Mr. LAUTNER. There is no doubt in my mind.

Mr. ARENS. Thank you.

Mr. MOULDER. May I pursue that? That is calling for a conclusion on your part. Have you stated previously in your testimony the reasons why?

Mr. LAUTNER. Yes.

Mr. ARENS. He told of the circumstances of the relationship.

Mr. COBB. May I ask Mr. Lautner a question?

Mr. ARENS. Cross examination isn't permitted.

Mr. MOULDER. What is your question?

Mr. COBB. As of what time are you talking that you have a belief?

Mr. MOULDER. I will ask the question.

Mr. LAUTNER. The last incident with Mr. Novick happened, as he pointed out, either in December of 1941 or January of 1942, and there were four of us at the meeting—you, Mr. Novick, and Mr. Greene and Mr. Landy and myself, and we tried to resolve the conflict that existed between you and Abner Green in the protection of the foreign born at that time, and it was resolved not in your favor because you were removed as acting secretary at that time. It should stand out in your mind because it is one of the highlights in your life.

Mr. MOULDER. Very well.

TESTIMONY OF IRVING NOVICK—Resumed

Mr. MOULDER. Now, Mr. Novick, you have heard Mr. Lautner's testimony and the statement he just made, with which you are now confronted. Do you wish to deny or affirm it?

Mr. NOVICK. I could only say this, that I don't have any highlights that I remember in that respect. I don't recall any major conflicts with Mr. Green. I do not recall this particular meeting, although it is possible that I met under circumstances described by the gentleman, impressing him the way it did. I met or I would meet with anyone in connection with the work of the American Committee, and I did not ask any questions who they were.

Mr. SCHERER. The pertinent question is, Did Mr. Lautner tell this committee an untruth just a minute ago, when he said that you were a member of the Communist Party?

Mr. NOVICK. I would decline to answer that question.

Mr. ARENS. Now, Mr. Novick, when you were with the [American] Committee for Protection of Foreign Born, were you at any time acting secretary?

Mr. NOVICK. Yes; I was.

Mr. ARENS. I lay before you now a photostatic copy of a letter dated January 5, 1940, signed by Irving Novick and written on the letter-head of the American Committee for Protection of Foreign Born. It is addressed to the American Civil Liberties Union and acknowledges the receipt of \$25. Kindly look at that signature and tell us whether it is your signature and if it is a true and authentic reproduction of the original?

(Document marked "Exhibit No. 69," see appendix, p. 7214.)

Mr. NOVICK. Yes; this is my signature and yes; it appears correct.

Mr. COBB. May I read that letter?

Mr. ARENS. We are running the committee, sir. Are you conversant with the original—

Mr. COBB. Mr. Congressman, he just handed the witness a letter, and now he is refusing to let me see the letter.

Mr. ARENS. I am undertaking to interrogate witness about the letter. I just had it identified, and I expect to ask him some questions about it.

Mr. MOULDER. Did the witness identify it?

Mr. ARENS. Yes.

Mr. COBB. He hasn't permitted the counsel to see the letter.

Mr. MOULDER. I think it is proper to let him see it.

Mr. COBB. Normal procedure is, you let the counsel see the letter.

Mr. MOULDER. That is right.

(The letter was shown to counsel.)

Mr. ARENS. This letter which you have identified is dated January 1940, is it not?

Mr. NOVICK. That is right.

Mr. ARENS. When did you actually become associated with the American Committee for Protection of Foreign Born?

Mr. NOVICK. I believe in the early 1930's, either 1933 or 1934.

Mr. ARENS. Was the organization then known as the American Committee for Protection of Foreign Born?

Mr. NOVICK. When I came to the organization, I was one of the few that with my coming transformed some interested individuals into the organization which became known as the American Committee for the Protection of Foreign Born.

Mr. ARENS. During the course of your affiliation with the American Committee for Protection of Foreign Born, tell us the branch organizations which the parent organized?

Mr. NOVICK. Well, the American Committee for Protection of the Foreign Born was formed out of interested individuals, and I am sorry, but I don't understand the question.

Mr. ARENS. Did it have a subsidiary or companion organization in New York City, as the New York City Committee for the Protection of the Foreign Born?

Mr. NOVICK. No; it was organized as an American Committee for the Protection of Foreign Born, for the entire Nation.

Mr. ARENS. What was its relationship with the International Labor Defense?

Mr. NOVICK. Prior to our organizing the American Committee for the Protection of the Foreign Born, people who were eligible for deportation were handled by the International Labor Defense and by the American Civil Liberties Union. It was to the interest, I believe, of the American Civil Liberties Union and similar organizations, to have an organization like this created because it was a strain on their finances and there was a lot of work involved and they couldn't handle it by themselves.

Mr. ARENS. During the period of your service with the American Committee for Protection of Foreign Born, did the organization create other organizations such as the California Committee for the Protection of Foreign Born, or Midwest Committee and the like?

Mr. NOVICK. No, sir, not to my recollection.

Mr. ARENS. Who replaced you as naturalization aid director of the American Committee?

Mr. NOVICK. The American Committee for the Protection of the Foreign Born had an executive board, and they are the ones who replaced me.

Mr. ARENS. Who replaced you, who was your successor?

Mr. NOVICK. I really don't know. I am in no position. When I left the organization I believe Mr. Abner Green took my position.

Mr. ARENS. Do you know whether or not Abner Green was a member of the Communist Party?

Mr. NOVICK. I would decline to answer that question.

Mr. ARENS. Did you ever serve in closed party meetings with Abner Green?

Mr. NOVICK. As I mentioned before, for the program of the American Committee, people might place me almost any place but in order not to draw a wrong conclusion, I must refrain from answering this question on the grounds of the fifth amendment.

Mr. SCHERER. That isn't the test—in order that we might not draw any wrong conclusions. The test is whether he honestly believes in good faith that the answer to the question might lead to criminal prosecution.

Mr. NOVICK. It is a complicated question, and I would rather not answer it.

Mr. SCHERER. Then I ask that you direct the witness to answer the question which he is refusing to answer on the ground it is complicated.

Mr. MOULDER. The witness is directed to answer. You have a right, of course, to claim the privilege of the fifth amendment if you wish to do so.

Mr. NOVICK. I refuse to answer on the ground that it might serve to incriminate me.

Mr. ARENS. Was Marjorie Spector the person who took your place at the American Committee for Protection of Foreign Born?

Mr. NOVICK. It could be. I want to make clear that I am in no position to tell this committee who took my place after I left. After all, I wasn't there. Marjorie Spector worked with me, and she was my assistant.

Mr. ARENS. At the American Committee?

Mr. NOVICK. Yes, and it is possible that she did take my place. I have no way of knowing that.

Mr. ARENS. Did you know whether or not Marjorie Spector was a member of the Communist Party?

Mr. NOVICK. I do not know whether she was a member of the Communist Party.

Mr. ARENS. I lay before you a document entitled, "Program of the Greater New York Emergency Conference on Inalienable Rights, Monday, February 12, 1940." According to that document you were a speaker on the Foreign Born Panel. Do you have a recollection of that panel?

(Document marked "Exhibit No. 70a-c," see appendix, pp. 7215-7217.)

Mr. NOVICK. I remember attending this conference and I was engaged in calling this conference. There were several panels and I tried to attend as many panels as I could. I believe at that time I might have been acting secretary at that time.

Mr. ARENS. Would you kindly look at the program, the section marked "Panel 1—Foreign Born" in which you are listed as a participant, and tell this committee how many of the people who were on the Foreign Born Panel of this conference were to your knowledge members of the Communist Party?

Mr. NOVICK. This is the panel, is it?

Mr. ARENS. Yes.

Mr. NOVICK. I have no knowledge of any of these people, as to their political affiliations.

Mr. ARENS. Do you have knowledge as to whether or not any of them were Communists?

Mr. NOVICK. I have no knowledge.

Mr. SCHERER. Just pardon me. What committee was that?

Mr. ARENS. It is a conference which was set up in 1940, according to the letterhead.

Mr. SCHERER. Were the participants on that committee supposed to have been individuals who were foreign born or was it merely a committee entitled "Foreign Born"?

Mr. ARENS. Just a panel entitled "Foreign Born."

Mr. MOULDER. How many were on the panel?

Mr. ARENS. Nine or ten.

Mr. MOULDER. How many did you know?

Mr. NOVICK. I knew them by reputation.

Mr. MOULDER. Did you know all of them?

Mr. NOVICK. Most of them, but I don't know as to their political affiliations.

Mr. MOULDER. How did you know them?

Mr. NOVICK. Well, let us take Frank Kingdon. He is a radio commentator, and each one is a prominent public figure, and I would know many by reputation. But I don't know, as a matter of fact, I don't know him personally well enough to know anything about him.

Mr. SCHERER. Were you asked where you were born? I don't recall.

Mr. NOVICK. Not yet.

Mr. SCHERER. Where were you born?

Mr. NOVICK. I was born in Poland.

Mr. SCHERER. When did you come to this country?

Mr. NOVICK. In the middle of 1923.

Mr. SCHERER. And when were you naturalized?

Mr. NOVICK. Approximately in 1930.

Mr. SCHERER. Were you a member of the Communist Party when you were naturalized?

Mr. NOVICK. As I declined before to answer any question prior to my connection with the American Committee, I will decline now for the reason of the fifth amendment.

Mr. SCHERER. When you were naturalized, were you asked whether or not you were a member of the Communist Party at that time?

Mr. NOVICK. I am familiar with the naturalization procedure and I know that in 1930 no one was asked as to membership in the Communist Party.

Mr. SCHERER. Now, let us go a little further. When were you admitted to practice before the Bureau of Immigration and Naturalization?

Mr. NOVICK. Approximately in 1945.

Mr. SCHERER. Were you asked at that time whether you were a member of the Communist Party?

Mr. NOVICK. Yes: I was.

Mr. SCHERER. What was your answer?

Mr. NOVICK. No.

Mr. SCHERER. Did you tell the truth at that time?

Mr. NOVICK. I did.

Mr. SCHERER. Were you a member of the Communist Party before you made your application for appointment?

Mr. NOVICK. I decline to answer that question.

Mr. SCHERER. Have you been a member of the Communist Party since you were granted permission to practice before the Bureau of Immigration and Naturalization?

Mr. NOVICK. In my memory now or since, you mean?

Mr. SCHERER. Since that date?

Mr. NOVICK. The answer is "No."

Mr. SCHERER. You have not been a member since you were admitted?

Mr. NOVICK. That is correct.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. NOVICK. No; I am not under any discipline of the Communist Party or otherwise.

Mr. SCHERER. How soon before you were admitted to practice before the Bureau of Immigration and Naturalization did you drop your membership in the Communist Party?

Mr. NOVICK. I at no time stated here that I was a member of the Communist Party, but I will decline to answer any question on the basis of the fifth amendment, prior to January of 1942.

Mr. SCHERER. Isn't it a fact then, that you resigned from the Communist Party so that in your application for permission to practice before the Bureau of Immigration and Naturalization, you could answer the question as to whether or not you were a member of the Communist Party, "No." Isn't that the fact?

Mr. NOVICK. If I understand your question, you state that——

Mr. SCHERER. Isn't it a fact that you resigned from the Communist Party so that in filling out your application for admission to practice before the Bureau of Immigration and Naturalization, you could answer that question as to membership in the Communist Party, "No"?

Mr. NOVICK. The answer is "No."

Mr. ARENS. You stated a few minutes ago, Mr. Novick——

Mr. SCHERER. Just a moment. I didn't finish with the witness. You say that you were not a member of the Communist Party in 1945. Were you a member of the Communist Party in 1944?

Mr. NOVICK. No.

Mr. SCHERER. Were you a member in 1943?

Mr. NOVICK. No.

Mr. SCHERER. In 1942?

Mr. NOVICK. No.

Mr. SCHERER. In 1940?

Mr. NOVICK. I decline to answer.

Mr. ARENS. You stated a few minutes ago that while you were with the American Committee for Protection of Foreign Born there were no other subsidiary companion organizations, such as a Midwest committee or an Ohio Committee for the Protection of the Foreign Born.

Mr. NOVICK. To the best of my recollection.

Mr. ARENS. I lay before you a photostatic copy of the Cleveland Plain Dealer of Monday, February 3, 1941, and invite your attention to an article which reads in part as follows:

An extensive program for the prevention of the mistreatment of foreign born was drafted by 150 delegates and observers who attended an organization meet-

ing of the Ohio Committee for the Protection of the Foreign Born yesterday afternoon at the City Club Auditorium.

I lay that before you and ask you if that would refresh your recollection with reference to a collateral or subsidiary organization of the American Committee for Protection of Foreign Born?

Mr. NOVICK. I am sorry sir, but I have no recollection or any knowledge that such organization existed.

Mr. ARENS. Would it help your recollection if I would lay before you a photostatic copy of the Cleveland Plain Dealer for Saturday, January 18, 1941, in which charges appear that the Ohio Provisional Committee of the American Committee for the Protection of the Foreign Born is Communist controlled. Would you kindly look at that article and see whether that refreshes your recollection?

Mr. NOVICK. Since I have no knowledge of the first one, or the existence of the organization, I don't see how I would have any knowledge as to its affiliation.

Mr. ARENS. Have you ever been identified or associated with the American Slav Congress?

Mr. NOVICK. Not to my knowledge.

Mr. ARENS. Have you advertised in the bulletins of the American Slav Congress?

Mr. NOVICK. To the best of my recollection, I once gave a man \$5, and this man stated that he was collecting money for advertisements or he was very anxious to put my name in some magazine, and it might have been the Yugoslav Congress.

Mr. ARENS. I lay before you a leaflet of the American Slav Congress—Rally To Win the Peace, September 20, 21, 22, 1946—in which appears Greetings from the Immigrants Technical Aid Bureau, and I ask you if that is the advertisement which you caused to be printed in that publication?

Mr. NOVICK. My name and trade name appears here correctly. However, I have no knowledge or I still don't know what sort of a greeting the publication is.

Mr. ARENS. While you were with the [American] Committee for Protection of Foreign Born, did you report to persons who were known by you to be members of the Communist Party?

Mr. NOVICK. I reported to no one.

Mr. ARENS. Who was your immediate superior?

Mr. NOVICK. The executive board of the American Committee for the Protection of the Foreign Born.

Mr. ARENS. Who was on that board?

Mr. NOVICK. I could not recall their names now, because it was subject to change. There were about 10 or 12 members. The names were always published.

Mr. ARENS. Was Abner Green on the board?

Mr. NOVICK. I could not recall. He might have been. I do not remember.

Mr. ARENS. Were you present in the formation and did you participate in the formation of the American Committee for Protection of Foreign Born?

Mr. NOVICK. Yes; I contributed quite a bit to its formation.

Mr. ARENS. And who joined with you in the formulation of the American Committee for Protection of Foreign Born?

Mr. NOVICK. Well, it is hard to remember all of the people, but I could remember Roger Baldwin, or people of his category.

Mr. ARENS. How many people, to your knowledge, who joined in the formation of the American Committee for Protection of Foreign Born were Communists?

Mr. NOVICK. Well sir, in those days, no one asked for an identification, and I would be in no position to know, the people I mingled with, who was a Communist or who was not.

Mr. ARENS. I have no further questions of this witness, Mr. Chairman.

Mr. SCHERER. I have one more question to ask the witness, Mr. Chairman, and I am not ready to ask it at this moment however.

Mr. MOULDER. You wish to have the witness recalled?

Mr. SCHERER. Yes.

Mr. MOULDER. You will remain in the hearing room, because we will recall you as a witness.

Mr. ARENS. I will call Mr. Carl Marzani.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARZANI. I do.

TESTIMONY OF CARL MARZANI

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. MARZANI. My name is Carl Marzani, and I live at 310 West 87th Street, Manhattan, New York City. With regard to my occupation I decline to answer on the grounds of the first amendment, the fifth amendment, my privilege of protection, and the ninth amendment.

Mr. ARENS. Where is your occupation headquartered?

Mr. MARZANI. I decline to answer on the same basis as before.

Mr. ARENS. In what State is it located?

Mr. MARZANI. I decline to answer on the same basis as before.

Mr. ARENS. I suggest that the witness be ordered and directed to answer the last question.

Mr. MOULDER. The witness is so directed.

Mr. MARZANI. I decline to answer on the same basis.

Mr. ARENS. Are you appearing in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. MARZANI. That is right.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and the ninth amendments.

Mr. ARENS. Where were you born?

Mr. MARZANI. Rome, Italy.

Mr. ARENS. When?

Mr. MARZANI. 1912.

Mr. ARENS. When did you come to the United States?

Mr. MARZANI. In 1924.

Mr. ARENS. And were you admitted for permanent residence in 1924?

Mr. MARZANI. I was a child, of course, 12 years old.

Mr. ARENS. Have you ever become naturalized?

Mr. MARZANI. Yes.

Mr. ARENS. When were you naturalized?

Mr. MARZANI. I became a citizen through derivative citizenship in 1929.

Mr. ARENS. Then you were not naturalized by a court proceeding but by derivation from your father.

Mr. MARZANI. That is correct.

Mr. ARENS. Tell us just a word please, about your early education.

Mr. MARZANI. Well, I went to grammar school and high school in the United States and to Williams College in the United States and Oxford University.

Mr. ARENS. When did you attend Oxford?

Mr. MARZANI. In 1937 and 1938, I guess it was.

Mr. ARENS. Were you a Rhodes scholar?

Mr. MARZANI. I was a Moody fellow. That is spelled with a capital M.

Mr. ARENS. Was that a religious foundation?

Mr. MARZANI. No.

Mr. ARENS. What was the foundation?

Mr. MARZANI. It was a fellowship from Williams College.

Mr. ARENS. When did you actually graduate from Oxford? Was that in 1938?

Mr. MARZANI. Yes, sir.

Mr. ARENS. What degree did you obtain?

Mr. MARZANI. A. B., in economics.

Mr. ARENS. Now, please tell us what your occupation was as soon as you received your degree in economics from Oxford.

Mr. MARZANI. Let me see, I guess I was on relief.

Mr. ARENS. Were you a member of the Communist Party while you were at Oxford studying under this fellowship?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth amendments.

Mr. ARENS. How long were you on relief after you concluded your studies at Oxford?

Mr. MARZANI. I forget, some period of time, several months.

Mr. ARENS. Were you with the WPA Writer's Project while you were on relief?

Mr. MARZANI. No, I was not.

Mr. ARENS. On what project were you?

Mr. MARZANI. I really do not recall what the name of it was.

Mr. ARENS. What was the next occupation in which you were engaged after you disestablished yourself from relief?

Mr. MARZANI. I taught at New York University.

Mr. ARENS. How long did you teach there?

Mr. MARZANI. A couple of years.

Mr. ARENS. When was the period of your teaching?

Mr. MARZANI. It must have been 1941, 1940-41, I guess it was.

Mr. SCHIERER. What is this witness' occupation now?

Mr. ARENS. He refused to tell us.

Mr. SCHIERER. What is our information?

Mr. ARENS. He is presently, according to our information, one of the officers of an organization known as Presentations, Inc. or with a

publishing firm which had some connection with this corporation known as Presentations, Inc.

Mr. SCHERER. Is that information correct, Witness?

Mr. ARENS. Are you with a publishing firm at the present time?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments.

Mr. ARENS. It will not be necessary for you to raise your voice.

Mr. MARZANI. You have asked four times and I tell you four times.

Mr. SCHERER. Do you feel that to answer—

Mr. MARZANI. I decline to answer on the basis of the fifth amendment.

Mr. SCHERER. You did not hear my question. Do you feel that to answer the question as to your present occupation might lead to a criminal prosecution?

Mr. MARZANI. I decline to answer on the basis of the fifth amendment.

Mr. SCHERER. I ask that you direct the witness to answer my question.

Mr. MARZANI. My answer speaks for itself. I would not use the fifth if I did not think so.

Mr. MOULDER. The witness is directed to answer.

Mr. MARZANI. Of course I do.

Mr. SCHERER. You feel that it would?

Mr. MARZANI. Of course I do.

Mr. SCHERER. The courts require that we ask you.

Mr. MOULDER. That is all. Proceed.

Mr. ARENS. I lay before you a photostatic copy of a document entitled "Union Films, Carl Marzani, Director," dated March 11, 1948, and ask you if you were the director of Union Films in 1948.

(Document marked "Exhibit No. 71," see appendix, p. 7218.)

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments.

Mr. ARENS. Have you ever been in prison?

Mr. MARZANI. Yes; as a matter of public record.

Mr. ARENS. When did you serve in prison?

Mr. MARZANI. From 1949 to 1950 and a part of 1951 and may I say, by the way, sir, Mr. Chairman, that one of the reasons why I behave with such little cooperation to the committee is that I have had a very, very interesting and salutary experience, and I was framed once and I spent 3 years in jail on precisely associated questions and I refuse to do it again. I have had it, and I am not going to let anybody do it again, including Mr. Arens.

Mr. SCHERER. What was the charge for which you say you were framed?

Mr. MARZANI. It was false statement and I say "framed" advisedly. It was false statement with no witnesses. The Supreme Court split 4 to 4 upon this question twice and there was a rehearing and I spent 3 years in jail, with a wife with multiple sclerosis. There was a parole signed by General Donovan, my former boss in the OSS, and signed by Einstein, and signed by leading people in the United States. I spent the whole time, and incidentally, one of my cellmates was a Mr. J. Parnell Thomas, former chairman of this committee.

Mr. MOULDER. Proceed.

Mr. SCHERER. You were convicted of perjury?

Mr. MARZANI. I was not convicted of perjury. It was a false statement. This was the "Hot Oil" case. You remember the oil case; you remember that.

Mr. SCHERER. It was a false statement? What statement was that? I did not know that you could go to prison for a false statement.

Mr. MARZANI. I did not either, but I did. It was not perjury. They could not get a perjury charge because it was not true.

Mr. ARENS. When were you released from jail?

Mr. MARZANI. July of 1951.

Mr. ARENS. You were released in July of 1951?

Mr. MARZANI. That is correct.

Mr. ARENS. Since your release from jail were you in attendance and were you a speaker at a mass meeting To Protest the Walter-McCarran Law and Free the Ellis Island Seven in New York City on December 8, 1952?

Mr. MARZANI. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. I will lay before you a photostatic copy of an advertisement in the Daily Worker (December 8, 1952) in which it is set forth that such a rally was held and you were such a speaker. Were you there?

(Document marked "Exhibit No. 72," see appendix, p. 7219.)

Mr. MARZANI. I refuse to answer on the first, fifth, and ninth amendments.

Mr. ARENS. I lay before you a photostatic copy of another document, signed "Carl Marzani," addressed "Dear Friend" with reference to Steve Nelson. Who was Steve Nelson?

Mr. MARZANI. He is not dead.

Mr. ARENS. Who is he?

Mr. MARZANI. He is a man.

Mr. ARENS. Who else is he?

Mr. MARZANI. What do you mean, what else?

Mr. ARENS. What was the nature of your acquaintanceship with Steve Nelson?

Mr. MARZANI. First, fifth, and ninth, naturally.

Mr. MOULDER. You decline to answer?

Mr. MARZANI. I decline to answer on the basis of those.

Mr. ARENS. After your release from jail did you send this letter, dated December 30, 1952, signed "Carl Marzani", and addressed "Dear Friend", with reference to assistance for Steve Nelson?

(Document marked "Exhibit No. 73," see appendix, p. 7220.)

Mr. MARZANI. I decline to answer first, fifth, and ninth.

Mr. ARENS. Is that your signature at the bottom of that letter?

Mr. MARZANI. I decline to answer, first, fifth, and ninth.

Mr. ARENS. You will, of course, Mr. Marzani, be paid a witness fee for your appearance here today.

Mr. MARZANI. Two days.

Mr. ARENS. For these 2 days.

Mr. MARZANI. Incidentally, may I say at this point that I really do resent, and I am just as a person, being kept here 2 days having to listen to Mr. Roosevelt, whose knowledge of immigration laws I felt was kind of sketchy, to a man named Lautner, paid by my taxes

as a paid informer, while I am wasting my time. I am sure you gentlemen are not wasting your time but I feel I am wasting mine.

Mr. SCHERER. Was there anything that Lautner said—

Mr. MARZANI. I did not listen to him. I walked out.

Mr. SCHERER. Was there anything he said—

Mr. MARZANI. I wasted my time waiting until he got through.

Mr. SCHERER. Will you wait until I ask the question?

Mr. MARZANI. I beg your pardon.

Mr. SCHERER. Was there anything Mr. Lautner said that was untrue?

Mr. MARZANI. I told you I did not hear him and I walked out.

Mr. ARENS. You said that Mr. Roosevelt did not know what he was talking about on immigration. What has been your experience in the field of immigration?

Mr. MARZANI. Not very much.

Mr. ARENS. Tell us what has been your experience in the field of immigration.

Mr. MARZANI. Very little.

Mr. ARENS. Have you made speeches on immigration matters?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth.

Mr. ARENS. Have you ever been identified with the American Committee for Protection of Foreign Born?

Mr. MARZANI. I decline to answer on the first, fifth and ninth.

Mr. ARENS. Mr. Marzani, will you kindly sign your name at the appropriate place there, as the payee?

(A document was handed to the witness.)

Mr. MOULDER. Have the record show what he is signing.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the photostatic copy of this payee voucher be incorporated in the record so that the signature on it may be compared with exhibit No. 73. Then it will be processed so the witness may receive his pay.

Mr. MOULDER. It is so ordered.

(Document marked "Exhibit No. 74," see appendix, p. 7221.)

Mr. ARENS. Now, Mr. Marzani, I lay before you a document dated January 1953 (Daily Worker, January 21, 1953), which was considerably after you were released from jail, in which a number of artists are alleged to have urged clemency for the Rosenbergs and I ask you if this is a true and correct recitation of the facts with reference to your participation in that movement.

(Document marked "Exhibit No. 75," see appendix, p. 7222.)

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth.

Mr. ARENS. Now, in view of your criticism of Mr. Roosevelt's knowledge of the immigration laws, I would like to ask if you ever had an opportunity to make a speech on that subject?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth amendments.

Mr. ARENS. I lay before you now, Mr. Marzani, a duplicate of the summary proceedings of the Michigan Conference to Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans. The main speaker was Mr. Carl Marzani, according to this exhibit, and the meeting was held in Detroit on November 22, 1953. Kindly look at that exhibit and tell us whether or not that refreshes

your recollection and whether you were the main speaker in that session on immigration matters, that is, after your release from jail.

Mr. MARZANI. I decline to answer on the first, fifth, and ninth.

Mr. ARENS. I observe that in this document you are quoted as saying, "Your fight to repeal the Walter-McCarran law is an important part of this broad movement," said Marzani. "The wheel has turned, the American people are on the march. McCarthyism will be defeated."

(Document marked "Exhibit No. 76a-g," see appendix, pp. 7222-7226.)

Mr. MARZANI. What is that?

Mr. ARENS. "Defeated." Did you make this statement?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth.

Mr. ARENS. I now lay before you a photostatic copy of the Daily Worker, New York, Wednesday, February 4, 1953, in which there is an article entitled, "Marzani To Speak in Boston, Friday." The body of the article indicates you were to speak under the sponsorship of the New England Citizens Concerned for Peace. Kindly look at that document and tell this committee whether or not you did speak and if you are the Carl Marzani alluded to in that article.

Mr. MARZANI. I decline to answer on the first, fifth and ninth amendments.

Mr. ARENS. I lay before you a photostatic copy of a page from the Daily Worker of Monday, March 8, 1954, in which there is an article entitled "Congressmen Visited Today on McCarran Act."

Over 100 delegates from 15 cities attended the first session here yesterday of the People's Conference to Repeal the McCarran Act. Sponsored by the Civil Rights Congress, the meeting took place at Odd Fellows Hall at 9th and T Streets.

The article continues, "Other speakers included * * * Carl Marzani."

Look at that article and tell this committee whether or not you are the Carl Marzani who was a speaker and who was active in this visitation to the Congressmen.

(Document marked "Exhibit No. 77," see appendix, p. 7226.)

Mr. MARZANI. I decline to answer on the first, fifth, and ninth amendments.

Mr. ARENS. In December of 1954 were you in Washington?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth.

Mr. ARENS. I respectfully suggest the witness be directed to answer the question.

Mr. MOULDER. The witness is directed to answer the question.

Mr. MARZANI. I just do not recall.

Mr. ARENS. Do you recall being in Washington during the course of 1954 for a rally?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth.

Mr. ARENS. Have you participated in a visitation with other delegates to Congressmen on behalf of the People's Conference to Repeal the McCarran Act?

Mr. MARZANI. I just do not recall.

Mr. ARENS. Now I lay before you a photostatic copy of the front page of a publication identified as "Progress in Massachusetts," a publication of the Progressive Party of Massachusetts, dated March 1954. According to this document, one Carl Marzani was announced as the feature speaker at an affair to be held by the Progressive Party. Part

of the program announced was to plan a fight back against State and Federal inquisitions.

Would you look at that document and tell us whether you participated in that conference as indicated by the publication?

Mr. MARZANI. I decline to answer, first, fifth, and ninth.

Mr. ARENS. In May of 1953, were you treasurer of the National Committee to Win Amnesty for the Smith Act Victims?

Mr. MARZANI. I decline to answer on the first, fifth, and ninth.

Mr. ARENS. I lay before you now a photostatic copy of a letterhead of that organization (dated May 22, 1953) containing the identification of a person by the name of Carl Marzani as treasurer.

Mr. MOULDER. May I interrupt. Mr. Novick is excused. Proceed.

Mr. ARENS. Would you look at this exhibit and tell us whether or not you are the person identified on that letterhead as Carl Marzani, the treasurer of the organization?

(Document marked "Exhibit No. 78," see appendix, p. 7227.)

Mr. MARZANI. I decline to answer, first, fifth, and ninth.

Mr. ARENS. I lay before you still another document entitled "Amnesty Trumpet,"—September–October, 1954—in which there appear a number of articles, and one article is entitled, "Monstrous Law Threatens New Smith-McCarran Act Persecutions." At the end of this article Carl Marzani is indicated as treasurer of the National Committee To Win Amnesty for Smith Act Victims.

Please look at that document and tell us whether you are or were treasurer of that organization.

(Document marked "Exhibit No. 79a–d," see appendix, pp. 7228–7231.)

Mr. MARZANI. I decline to answer, first, fifth, and ninth.

Mr. ARENS. Have you ever registered with the United States Congress under the Lobbying Act?

Mr. MARZANI. No.

Mr. ARENS. I lay before you a document which we have termed—

Mr. MARZANI. May I say, by the way, I do not know if it is proper, but I have listened here for 2 days on this question of asking people whether they have registered for the Lobbying Act and it strikes me as kind of fantastic that a lobbying act which was enacted in order to control corporations is being used against individuals who are presumably, according to what you are saying, trying to influence legislation.

I also thought that was one of the prerogatives of an American citizen and I just do not like the whole aura of intimidation. Thank you.

Mr. ARENS. If you were treasurer of this organization designed to influence legislation, why did you not register with the United States Congress under the Lobbying Act?

Mr. MARZANI. I decline to answer, first, fifth, and ninth.

Mr. SCHERER. Then what happens to that little speech you just made?

Mr. MARZANI. I'll tell you what happens. As I explained to you before, sir, having been framed once if I thought for a moment this committee—and I have great fears of this committee and justifiably so, because I don't believe this committee is worrying about the health of the United States. I think they are trying to put me in jail and I won't let them. I will do everything I can under the Constitution of the United States. The privilege is my privilege, sir.

There is nothing illegal about it and I know exactly what I am doing and I am standing on my rights as an American citizen.

Mr. ARENS. Are you a member of an organization designed to destroy the Constitution of the United States?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments.

Mr. SCHERER. Have you been a member of the Communist Party since the Korean war?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth.

Mr. SCHERER. Have you been a member of the Communist Party since the desanctification of Stalin?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments.

Mr. SCHERER. Have you been a member of the Communist Party since the recent Communist atrocities in Hungary?

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments. By the way, I wish to say one more thing. I just resent the imputations and inferences and innuendoes about my patriotism. As a matter of actual fact, I have proven my patriotism and I was in the Army and I didn't dodge anything and took my risk and by the way, I went to jail because of my patriotism.

Mr. ARENS. Stand up then like a patriotic American and deny while you are under oath that you are a member of the Communist conspiracy.

Mr. MARZANI. I stand on the first, fifth, and ninth amendments, made for these purposes to stop people like you and that is what the Bill of Rights was made for, so don't tell me what a patriotic man should stand on. The Constitution is good enough for me and I wish it was good enough for you.

Mr. ARENS. Are you a member of an organization designed to destroy the Constitution?

Mr. MARZANI. First, fifth, and ninth amendments.

Mr. ARENS. I will lay before you a reproduction of the New York Beacon issued by the New York Committee for Protection of Foreign Born, with reference to a mass rally for the Walter-McCarran Act repeal. This mass rally was held in Yugoslav Hall in New York City on January 17, 1955, and according to this article one of the orators for the repeal of the Walter-McCarran Act was Carl Marzani.

Please look at that exhibit and tell us whether or not you were a participant in that mass rally for the repeal of the Walter-McCarran law held in New York City?

(See exhibit No. 23a-d," appendix, pp. 7122-7125.)

Mr. MARZANI. I decline to answer on the basis of the first, fifth, and ninth amendments.

Mr. ARENS. Now I lay before you a photostatic copy of the Worker, of April 1, 1956, containing a letter from one Carl Marzani on the Stalin reevaluation.

According to this article, and I will summarize it, the author, Carl Marzani, condemns and commends the Communist Party and says among other things, "I have never accepted, nor indeed have I ever seen evidence, that the American Communist Party was, as the saying goes, 'run by Moscow'."

Would you kindly look at that article and tell us whether or not you wrote that letter to the editor?

(Document marked "Exhibit No. 80a, b," see appendix, pp. 7232, 7233.)

Mr. MARZANI. I decline to answer on the first, fifth and ninth amendments.

Mr. ARENS. Have you ever seen any evidence that the American Communist Party was, or is, run by Moscow?

Mr. MARZANI. I decline to answer, first, fifth and ninth amendments.

Mr. ARENS. I also observe in this article, your statement or these statements by Carl Marzani, that you have no antagonism toward anyone and Communist leaders need no defense from you. Did you make those statements?

Mr. MARZANI. I decline to answer, first, fifth, and ninth amendments.

Mr. ARENS. I lay before you an original document which is an announcement by the Socialist Unity Forum, of a discussion group on Prospects for American Socialism to be held November 9, 1956.

One of the speakers in this forum is a man identified here as Carl Marzani. Please look at that document and tell us whether or not you are he.

(Document marked "Exhibit No. 81a, b," see appendix, pp. 7234, 7235.)

Mr. MARZANI. I decline to answer, first, fifth and ninth amendments.

Mr. ARENS. Were you a member of the Communist Party conspiracy while you were employed in the Federal Government?

Mr. MARZANI. What is the Communist conspiracy?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be either ordered to answer that question or invoke the fifth amendment.

Mr. SCHERER. I ask that you direct the witness.

Mr. MARZANI. He said, "Am I a member of the Communist conspiracy?" What is meant by the words "a Communist conspiracy"? Obviously I cannot answer something I don't know.

Mr. MOULDER. Of course the words explain themselves if you know the meaning of the words.

Mr. SCHERER. He is a graduate of Williams College.

Mr. MARZANI. And Oxford University and that is why I don't understand the words.

Mr. ARENS. Were you a Communist while you were in the Federal Government?

Mr. MARZANI. You mean a member of the Communist Party?

Mr. ARENS. Yes.

Mr. MARZANI. I refuse to answer on the basis of the first, fifth and ninth amendments.

Mr. ARENS. I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. The witness is excused. You may claim your witness fees.

The committee will stand in recess until 2 p. m.

(Whereupon the committee recessed at 12:15 p. m.)

AFTERNOON SESSION—TUESDAY, NOVEMBER 13, 1956

(The hearing was resumed at 2 p. m., Hon. Francis E. Walter, chairman of the committee, presiding.)

The CHAIRMAN. The committee will come to order.

Mr. ARENS. Frank Ilchuk, please come forward and remain standing while the chairman administers an oath to you.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ILCHUK. I do.

**TESTIMONY OF FRANK ILCHUK; ACCOMPANIED BY COUNSEL,
ISIDORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself by name, residence and occupation.

Mr. ILCHUK. My name is Frank Ilchuk, and I live at 100 Second Avenue, New York City.

Mr. ARENS. And your occupation?

Mr. ILCHUK. I decline to answer that under the fifth amendment.

Mr. ARENS. Will you keep your voice up, Mr. Ilchuk?

Mr. ILCHUK. I will try. Do you want me to answer the question again?

Mr. ARENS. Yes, Please, sir.

Mr. ILCHUK. I decline to give my occupation on the rights and privileges accorded me by the fifth amendment.

Mr. ARENS. How long have you been engaged in your present occupation?

Mr. ILCHUK. I decline for the reasons just stated.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

The CHAIRMAN. You can answer that question.

(Witness consulted his counsel.)

Mr. ILCHUK. What is the question, sir?

Mr. ARENS. How long have you been so engaged?

Mr. ILCHUK. Five years.

Mr. ARENS. Are you appearing today in response to a subpoena issued by the House Committee on Un-American Activities?

Mr. ILCHUK. That is correct.

Mr. ARENS. Are you represented by counsel?

Mr. ILCHUK. I am.

Mr. ARENS. Counsel, will you kindly identify yourself please, sir?

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York, N. Y.

Mr. ARENS. In what city is your occupation located, Mr. Ilchuk?

Mr. ILCHUK. In New York City.

Mr. ARENS. And tell us please, sir, where and when were you born?

Mr. ILCHUK. I was born in the Ukraine, in 1907.

Mr. ARENS. And you immigrated to the United States in 1912, is that correct?

Mr. ILCHUK. That is correct.

Mr. ARENS. Are you a citizen of the United States?

Mr. ILCHUK. I am.

Mr. ARENS. Is that by derivative citizenship?

Mr. ILCHUK. Right.

Mr. ARENS. Give us just a word please, sir, about your formal education.

Mr. ILCHUK. My formal education was of course all in this country, grammar school, high school, and university.

Mr. ARENS. What university did you attend?

Mr. ILCHUK. Syracuse University, and Eastman School of Music of the University of Rochester.

Mr. ARENS. When did you complete your education at these two institutions?

Mr. ILCHUK. In 1933.

Mr. ARENS. Tell us, if you please, sir, what was your first occupation after you completed your formal education?

(Witness consulted his counsel.)

Mr. ILCHUK. I went to Detroit where I did some free-lance work as a musician, whatever I could get, and then for a short period of time I played with the Detroit Symphony Orchestra.

Mr. ARENS. When did you play with the Detroit Symphony Orchestra?

Mr. ILCHUK. In 1934.

Mr. ARENS. Now, continue, please, from that date and tell us what your next occupation was.

Mr. ILCHUK. My next occupation, I came to New York and I engaged in musical activities, teaching music, and conducting.

Mr. ARENS. Where did you teach and where did you conduct?

Mr. ILCHUK. I was self-employed.

Mr. ARENS. Where did you teach?

Mr. ILCHUK. In my home in the studio.

Mr. ARENS. Over what period of time did you engage in this occupation?

Mr. ILCHUK. I engaged in that occupation for the next 9 years.

Mr. ARENS. And that brings us up then to about—

Mr. ILCHUK. 1943.

Mr. ARENS. Then, tell us what your occupation was beginning in 1943.

Mr. ILCHUK. I served in the Armed Forces of our country.

Mr. ARENS. Where did you serve?

Mr. ILCHUK. I served in the European theater of operations.

Mr. ARENS. And in what capacity?

Mr. ILCHUK. I was at the 88th Cavalry Reconnaissance Squadron of the 8th Army Division.

Mr. ARENS. Did you have a commission?

Mr. ILCHUK. No, sir.

Mr. ARENS. How long did you serve in the Armed Forces?

Mr. ILCHUK. I served from May 1943 to the end of November 1945.

Mr. ARENS. Pick us up there and tell us what your occupation was after you were disassociated from the Armed Forces?

(Witness consulted his counsel.)

Mr. ILCHUK. I refuse to answer the question for the reasons previously stated.

Mr. ARENS. During the music career to which you were alluding, were you ever connected with the Metropolitan Music School in New York City?

(Witness consulted his counsel.)

Mr. ILCHUK. Yes, sir.

Mr. ARENS. And in what capacity?

Mr. ILCHUK. First as an instructor, instructor of violin theory and harmony and later as its director.

Mr. ARENS. What was your next occupation after the occupation which we have just been talking about in 1945?

Mr. ILCHUK. The occupation right after the one in 1945?

Mr. ARENS. Yes, sir.

Mr. ILCHUK. I decline to answer that question for the reasons previously stated.

Mr. ARENS. How long did that occupation endure?

Mr. ILCHUK. I decline to answer that on the same reasons.

Mr. ARENS. And what was your next occupation?

(Witness consulted counsel.)

Mr. ILCHUK. There is no next occupation.

Mr. ARENS. Have you been engaged in any occupation other than the one which began in 1945?

Mr. ILCHUK. Yes, sir, engaged in musical activities, teaching privately, and self-employed.

Mr. ARENS. When you invoked the fifth amendment a little while ago with reference to your present occupation, you said subsequently that your present occupation dates back for 5 years. What was the occupation which you were engaged in immediately prior to your present occupation?

(Witness consulted counsel.)

Mr. ARENS. What was the occupation that you had just before in 1945; what occupation were you engaged in?

Mr. ILCHUK. In 1945 up to November I was in the Armed Forces.

Mr. ARENS. In 1947, did you take a trip abroad?

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer that question.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer that question.

Mr. ILCHUK. I respectfully decline on the reasons previously stated.

Mr. ARENS. I lay before you a photostatic copy of a leaflet of the World Youth Festival in Prague, 1947, containing a list of Americans attending the World Youth Festival in Prague in 1947 including one Frank Ilchuk, identified here as a choral leader of the Slavic American Youth Council. Kindly look at that and see if it refreshes your recollection with respect to the trip you may have made abroad at that time?

(Document marked "Exhibit No. 82a, b," see appendix, pp. 7236, 7237.)

(Document was handed to the witness.)

Mr. ILCHUK. I decline to answer for the reasons previously stated.

Mr. ARENS. Were you at any time identified with the Slavic American Youth Council?

Mr. ILCHUK. I decline to answer for the reasons previously stated.

Mr. ARENS. I lay before you a photostatic copy of a passport application under date of June 12, 1947, by one Frank H. Ilchuk, and an

accompanying statement submitted with the application by one Doris Senk, executive secretary of the World Youth Festival, with reference to one Frank Ilchuk. Please look at the application and tell us whether or not that is your signature appearing after the Oath of Allegiance.

(Documents marked "Exhibit No. 83a-c," see appendix, pp. 7238-7240.)

(A document was handed to the witness.)

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer for reasons previously stated.

Mr. ARENS. Mr. Ilchuk, as a witness you are entitled to certain witness fees after you have signed a pay voucher. I therefore ask you if you will now affix your signature to this pay voucher where it says "Payee."

(Witness consulted his counsel.)

Mr. NEEDLEMAN. Since this is a blank voucher, I decline to have my client fill it out. If you will fill it out, I will be glad to have him sign it. I cannot ask him to sign and permit him to sign a blank voucher.

Mr. ARENS. We are not asking you to ask him.

The CHAIRMAN. Before you ask another question, what is the Slavic American Youth Council, Mr. Ilchuk?

Mr. ILCHUK. I decline to answer that for reasons previously stated.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact, that in June of 1947 you made application for a passport in which you stated you were going to attend a World Youth Festival in Prague, and that this is a true and correct reproduction of that passport application.

Mr. ILCHUK. What is the question?

Mr. ARENS. I put it to you as a fact that is your signature and that is a duplicate of your passport application.

Mr. ILCHUK. I decline to answer for reasons previously stated.

Mr. ARENS. In 1947 did you take a trip abroad?

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer that question on the basis previously stated.

Mr. ARENS. I lay before you a photostatic copy of an article appearing in the Daily Worker of March 19, 1947, entitled, "Joint Conference Formed Against Intervention," with reference to a conference against intervention in Greece and Turkey, and one of the persons who formulated this conference is identified as Frank Ilchuk, IWO. Please look at that, sir, and tell us whether or not that refreshes your recollection?

(Document marked "Exhibit No. 84," see appendix, p. 7241.)

(Document was handed to the witness.)

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer for the reasons previously stated.

Mr. ARENS. I invite your attention to a photostatic copy of a publication entitled, "The Slavic American," dated fall 1947, in which appears a photograph of one Frank Ilchuk, and an article stating that Frank Ilchuk was elected to represent the Slavic American Youth Council at the World Youth Festival in Prague, and that that Frank Ilchuk was the newly elected President of the Ukrainian American Fraternal Union. Please look at that, sir, and tell us if

that refreshes your recollection with reference to your activities in 1947.

(Document marked "Exhibit No. 85a, b," see appendix, pp. 7242, 7243.)

(A document was handed to the witness.)

Mr. ILCHUK. I decline to answer for the reasons previously stated.

Mr. ARENS. Did you attend the World Youth Festival in Prague in 1947?

Mr. ILCHUK. I decline to answer that question on the same basis.

Mr. ARENS. Is this your photograph in this document which I now display to you?

Mr. ILCHUK. I decline to answer on the same basis.

Mr. ARENS. Are you now connected with the American Committee for Protection of Foreign Born?

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer that question on the basis previously stated.

Mr. ARENS. In 1949 did you participate in a National Conference Against Deportation Hysteria, which was convened in Detroit, Mich.?

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. Have you ever been president of the Ukrainian Defense Committee?

Mr. ILCHUK. I decline to answer that on the same reasons stated.

Mr. ARENS. I lay before you a photostatic reproduction of the program and minutes of the National Conference Against Deportation Hysteria held in December of 1949 in Detroit, Mich., in which one of the participants in the panel is identified as Frank Ilchuk, of New York, president of the Ukrainian Defense Committee. Please look at that, sir, and tell this committee while you are under oath if you are the Frank Ilchuk alluded to in that document?

Mr. ILCHUK. I decline to answer for the reasons previously stated.

Mr. ARENS. In this same document I invite your attention to a list of the board of directors of this organization in which is set forth among other persons the name of Frank Ilchuk, Ukrainian Defense Committee of New York. Please look at that document, sir, and tell us whether or not you are that Frank Ilchuk referred to as a member of the board of directors of that organization.

(Document marked "Exhibit II," see appendix, pp. 8275-8302.)

Mr. ILCHUK. I decline to answer that question for the reasons previously stated.

Mr. ARENS. In 1954, did you participate in a conference in New York City of the American Committee for Protection of Foreign Born, entitled, "A National Conference to Defend the Rights of Foreign Born Americans"?

Mr. ILCHUK. I decline to answer that for the reasons previously stated.

Mr. ARENS. I lay before you now a photostatic reproduction of the summary proceedings of that conference, in which Frank Ilchuk of New York City is identified as one of the participants in the conference. Please look at that, sir, and tell me whether or not that refreshes your recollection.

(See exhibit VI, appendix, pp. 8372-8405.)

Mr. ILCHUK. I decline to answer that question for the reasons previously stated.

Mr. ARENS. What have you done in the course of the last few years toward promoting your interests or the interests of your associates in national legislation by the Congress?

Mr. ILCHUK. I decline to answer for the reasons previously stated.

The CHAIRMAN. You are directed to answer that question.

(Witness consulted his counsel.)

Mr. ILCHUK. I respectfully decline to answer that question for the reasons previously stated.

Mr. ARENS. Are you registered as a lobbyist?

Mr. ILCHUK. No, sir.

Mr. ARENS. Have you taken an active part in promoting legislation or in opposing legislation by your organization, or as an individual?

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer that question for reasons previously stated.

Mr. ARENS. I lay before you a photostatic reproduction of the minutes of the proceedings of the Conference of the American Committee for Protection of Foreign Born, Saturday, December 10, 1955, in which the following appears:

Before introducing Abner Green, the Chair is asking authorization of the conference to appoint from the Chair, the chairmen of the three committees of the conference, resolutions, credentials, and nominating, with the understanding that the chairman of the conference committee will select their own committees from among the body of the conference. When authorization is granted the Chair is to appoint as chairmen the following: Including credentials committee, Frank Ilchuk, of New York.

Please look at that document and tell us whether or not you are the Frank Ilchuk alluded to and whether you participated in that conference.

Mr. ILCHUK. I decline to answer for reasons previously stated.

Mr. ARENS. Now, Mr. Ilchuk, we have filled out pursuant to the demands of your counsel, your expense voucher and while you are under oath I would like to have you affix your signature as payee to this document.

(The document was handed to the witness.)

(The witness consulted his counsel.)

Mr. ILCHUK. Right here?

Mr. ARENS. Yes, sir, where it says, "Payee."

(The witness signed the document.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that this part of the voucher containing the signature of Mr. Ilchuk be incorporated in this record so that the signature may be compared with the signature on the passport application.

(Document marked "Exhibit No. 86," see appendix, p. 7244.)

The CHAIRMAN. It is so ordered.

Mr. ARENS. Mr. Ilchuk, I lay before you a photostatic copy of a page from a pamphlet published by the Ukrainian National Folk Festival, which Festival was held in Detroit, Mich., in 1948. According to this advertisement one Frank Ilchuk is national president of the Ukrainian American Fraternal Union. Please look at that document and tell us whether or not you are that Frank Ilchuk.

(Document marked "Exhibit No. 87," see appendix, p. 7245.)

(A document was handed to the witness.)

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer for reasons previously stated.

Mr. ARENS. I lay before you a photostatic copy of a call to a national founding convention of a youth organization to support the policies of the Wallace and Taylor Party. Among the persons listed as sponsors in this call is Mr. Frank H. Ilchuk, president of the Ukrainian-American Fraternal Union. Please look at that and tell us whether or not you are he?

(Document marked "Exhibit No. 88a-h," see appendix, pp. 7246-7253.)

Mr. ILCHUK. I decline to answer on the basis of the reasons previously stated.

Mr. ARENS. Please tell this committee, Mr. Ilchuk, what is the Ukrainian American Fraternal Union?

Mr. ILCHUK. I decline to answer on the basis of the reasons previously stated.

Mr. ARENS. Is there such an organization as Ukrainian American Fraternal Union?

(Witness consulted his counsel.)

Mr. ILCHUK. To the best of my knowledge, there isn't.

Mr. ARENS. Was there such an organization?

Mr. ILCHUK. Yes, sir.

Mr. ARENS. And during what course of time did it exist?

(Witness consulted his counsel.)

Mr. ILCHUK. Would you repeat the question?

Mr. ARENS. During what course of time did the organization exist?

Mr. ILCHUK. To the best of my knowledge, from 1944 until about 1953.

Mr. ARENS. What is the basis of your knowledge?

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. Who is or was Sam Milgrom?

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you now a letterhead of a Committee for the Freedom of Sam Milgrom, in which a Frank Ilchuk is identified as treasurer of the organization. Please look at that and tell us whether or not you were treasurer of that organization.

(A document was handed to the witness.)

(Document marked "Exhibit No. 89," see appendix, p. 7254.)

(Witness consulted his counsel.)

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. Do you know Olive Sutton?

Mr. ILCHUK. No, sir, I don't think so.

Mr. ARENS. I lay before you a photostatic copy of a Daily Worker of October 21, 1948, an article by Olive Sutton, entitled "American Culture Enriched by Ukrainian Folk Festival," in which allusion is made to yourself, Frank H. Ilchuk, president of the Ukrainian American Fraternal Union. I will ask you if that refreshes your recollection with reference to her?

Mr. ILCHUK. No, sir, it does not.

Mr. ARENS. Have you been active in the International Workers Order?

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you now a photostatic copy of an article from the Daily Worker of August 10, 1949, entitled "IWO Vets to Join Pickets at Foley Square Friday." Reference is made to a call

to all International Workers Order veterans issued by a number of persons including a Frank Ilchuk, and I will ask you if that refreshes your recollection.

(A document was handed to the witness.)

Mr. ARENS. According to that article, the call is for the purpose of picketing Foley Square during the time of the trial of the Communist traitors.

(Document marked "Exhibit No. 90," see appendix, p. 7255.)

Mr. ILCHUK. I decline to answer on the basis previously stated.

Mr. ARENS. Are you now a Communist?

Mr. ILCHUK. I decline to answer that question on the basis previously stated.

Mr. ARENS. Are you now identified with the American Committee for Protection of Foreign Born?

Mr. ILCHUK. I decline to answer that question for the reasons previously stated.

Mr. ARENS. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. There are no questions.

(Witness excused.)

Mr. ARENS. The next witness is Frances Damon Williams.

Will you kindly remain standing while the chairman administers an oath to you?

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss DAMON. I do.

TESTIMONY OF FRANCES MacKINNON DAMON (FRANCES DAMON WILLIAMS); ACCOMPANIED BY COUNSEL, MILTON H. FRIEDMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss DAMON. My name is Frances MacKinnon Damon, and I live at 611 West 137th Street, New York City, and I have no occupation.

Mr. ARENS. Where were you born?

Miss DAMON. I was born in Honolulu.

Mr. ARENS. And when did you come to the continental United States?

Miss DAMON. I first visited the continent in 1928, I believe, and it was a short visit.

Mr. ARENS. When did you come for permanent residence?

Miss DAMON. Probably it was 1939 for permanent residence in the United States. I had traveled before that through the United States.

Mr. ARENS. And when were you married?

Miss DAMON. I was married in 1947.

Mr. ARENS. What is your husband's name?

Miss DAMON. My husband's name was Herbert Williams.

Mr. ARENS. Now Mrs. Williams, have you ever traveled abroad since arriving in the United States for permanent residence?

Miss DAMON. Yes, I have.

Mr. ARENS. And when was that?

Miss DAMON. I traveled to Mexico in 1943, and I may have visited Canada during those years. I went to Europe in 1945.

Mr. ARENS. What was the purpose of your trip to Europe in 1945?

Miss DAMON. My purpose in going to Europe at that time, to London, was as a delegate to the World Youth Conference which was held in London.

Mr. ARENS. And did you attend the World Youth Conference in London?

Miss DAMON. Yes, sir; I did.

Mr. ARENS. Who designated you as a delegate to the conference?

Miss DAMON. I was elected by an arrangements committee which was established in New York City, with the participation of a number of youth organizations interested at that time in promoting international good friendship.

Mr. ARENS. And who were some of these people that set up this world youth organization?

Miss DAMON. I am afraid that I don't wish, or I would have to decline, to answer questions about other people.

Mr. ARENS. Was Doris Senk a member of this group that set up this World Youth Conference?

Miss DAMON. I think that I have made it clear that I decline to answer questions about other people.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

The CHAIRMAN. The witness is directed to answer the question.

(Witness consulted her counsel.)

Miss DAMON. I decline to answer that question on the grounds of the privileges afforded me by the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of a passport application made by one Frances M. Damon, June 1945, and I will ask you if that is your signature?

(A document was handed to the witness.)

(Witness consulted her counsel.)

Miss DAMON. Yes, that is my signature.

Mr. ARENS. Thank you. One of the witnesses on this application is Doris Senk; is it not?

(Document marked "Exhibit No. 91a, 8," see appendix, pp. 7256, 7257.)

(Witness consulted her counsel.)

The CHAIRMAN. The writing speaks for itself. Is the name there, Mr. Arens?

Mr. ARENS. Yes. Do you know the lady whose name appears here as a witness?

Miss DAMON. I think I have made it clear that I don't wish to be an informer, and I don't wish to answer questions about other people. I therefore respectfully ask or I respectfully invoke the fifth amendment.

Mr. ARENS. Do you honestly feel now if you told this committee whether or not you have known Doris Senk whose name appears on your passport application, that you would be supplying information which might be used against you in a criminal proceeding?

(Witness consulted her counsel.)

Miss DAMON. Yes.

Mr. ARENS. We do not have the identity of counsel.

Mr. FRIEDMAN. Milton H. Friedman, New York.

Mr. ARENS. How long were you in London in connection with this World Youth Conference?

Miss DAMON. Probably about a month. I am not sure of the exact length of time.

Mr. ARENS. Where did you go afterward?

Miss DAMON. I returned to the United States.

Mr. ARENS. Did you subsequently take a trip abroad in the course of the next year or so?

Miss DAMON. Yes.

Mr. ARENS. Where did you go that time?

Miss DAMON. I went to Paris.

Mr. ARENS. And for what purpose?

Miss DAMON. I went because at the World Youth Conference I had been elected as one of the officers of the World Federation of Democratic Youth.

Mr. ARENS. That was in London?

Miss DAMON. The election took place in London; yes. And the headquarters of the federation was in Paris and I went there to fulfill my responsibilities as an officer of the federation.

Mr. ARENS. Who paid your expenses?

Miss DAMON. I paid my own expenses.

Mr. ARENS. And when was it that you went to Paris?

Miss DAMON. In the spring of 1946.

Mr. ARENS. How long were you in Paris?

Miss DAMON. It is difficult for me to give you an exact time.

Mr. ARENS. Your best recollection?

Miss DAMON. Because I traveled a very great deal during that time. It is hard to recall right now.

Mr. ARENS. Well, did you leave Paris and go any place else on the Continent while you were there?

Miss DAMON. I visited many of the countries.

Mr. ARENS. What countries did you visit?

Miss DAMON. I think that I visited practically all of the countries.

Mr. ARENS. Did you travel to Czechoslovakia?

Miss DAMON. Yes; I did.

Mr. ARENS. What was the occasion for your traveling to Czechoslovakia?

Miss DAMON. There may have been meetings of the World Federation of Democratic Youth in Czechoslovakia, and conferences and festivals, and I am not sure.

Mr. ARENS. Where were those held, if you remember?

Miss DAMON. You have asked me about Czechoslovakia?

Mr. ARENS. Yes; where were the conferences held, if you please?

Miss DAMON. They would have been held in Prague.

Mr. ARENS. Did you attend conferences in Prague?

Miss DAMON. To the best of my recollection; yes.

Mr. ARENS. And then did you attend conferences in the U. S. S. R.?

Miss DAMON. At one time the World Federation of Democratic Youth held its executive meeting in Moscow.

Mr. ARENS. When was that?

Miss DAMON. To the best of my recollection, it was in 1947.

Mr. ARENS. Did you attend the session?

Miss DAMON. Yes; I attended as an officer, and as a member of the executive committee of the World Federation.

Mr. ARENS. In 1947, did you likewise travel to Mexico?

Miss DAMON. Yes; I believe I did.

Mr. ARENS. What was the occasion for your traveling to Mexico?

Miss DAMON. I went as a member of a delegation of the World Federation of Democratic Youth to visit Mexico.

Mr. ARENS. And was there a session in Mexico of this World Federation of Democratic Youth?

Miss DAMON. Yes; we had a conference.

Mr. ARENS. What year was that?

Miss DAMON. That was in 1948.

Mr. ARENS. And in 1949 did you again travel abroad?

Miss DAMON. Yes; I was abroad in 1949.

Mr. ARENS. Where did you go abroad in 1949?

Miss DAMON. I don't recollect exactly which countries I visited.

Mr. ARENS. Did you go to Budapest, Hungary?

Miss DAMON. Yes, I did.

Mr. ARENS. What was the occasion for your going to Budapest, Hungary?

Miss DAMON. On that occasion, there was a world festival of youth and students in Budapest, and a congress of the World Federation of Democratic Youth.

Mr. ARENS. And in 1950, did you travel abroad again?

Miss DAMON. I was traveling abroad in 1950.

Mr. ARENS. In 1950 did you attend a session of the democratic world youth organization in Oslo, Norway?

Miss DAMON. I am not sure of the organization there. What did you say?

Mr. ARENS. Did you attend a conference of some kind in Oslo, Norway, in 1950?

Miss DAMON. There could have been a meeting of the World Federation of Democratic Youth, of its council or executive committee.

Mr. ARENS. Did you make a speech while you were in Oslo, Norway, about certain situations and conditions existing in the United States in 1950?

Miss DAMON. I don't recollect.

Mr. ARENS. Let me read you what has been identified as your statements before this committee, and see if you will confirm them?

Miss DAMON. Which committee?

Mr. ARENS. The Committee on Un-American Activities, before which you are appearing today.

Miss DAMON. My statements before it?

Mr. ARENS. Your statements in Oslo, Norway, in March of 1950.

In the capitalist world, the youth peace movement has made special progress in Italy. In that country half a million young boys and girls have signed a "petition for peace". The brave Italian youth stands solidly with their older comrades who refuse to unload weapons and ammunition from the United States. * * * The young people in the United States live under very difficult conditions today. There are 3 million unemployed young people. The crisis hits the young people especially hard. They cannot afford to get an education and the shortage of housing makes it impossible for many of them to get married and to live normally. The warmongers tempt the youth to join the Army by promising them this and that. The war propaganda employs all means—press, radio, etc. to corrupt the youth. Still there remains a strong passive as well as active resistance among the young people * * *.

Many of them support the campaign against compulsory military training, for prohibition of atomic weapons, for friendship with the democratic forces in all countries, for peace and understanding between all peoples. The young people are worried about the increasing efforts of the reactionaries, about the threatening developments toward fascism and the liquidation of democratic rights.

(Document marked "Exhibit No. 92a, b," see appendix, pp. 7258, 7259.)

Did you make that statement in Oslo, Norway, in 1950?

Miss DAMON. I am sorry, I don't recollect that. It doesn't exactly sound the way I would put things.

The CHAIRMAN. What was the date of that?

Mr. ARENS. March 28, 1950.

The CHAIRMAN. Were you in Oslo on the 28th of March 1950?

Miss DAMON. I cannot recall precisely, and I know at one time there was a meeting of the executive committee of the World Federation of Democratic Youth, and whether it was that month or that year it is hard for me to say.

The CHAIRMAN. Don't you even remember the year when you were in Norway?

Miss DAMON. I traveled so many times to so many of these countries that it is very difficult to pin them down in terms of exact months and years.

Mr. ARENS. When you were in Oslo in 1950, were you interviewed by the Communist Friheten?

Miss DAMON. I don't recollect.

Mr. ARENS. Were you interviewed by any papers which issued statements similar to those which I have just read to you?

Miss DAMON. I really don't recollect.

Mr. ARENS. In 1950, did you attend a conference in Berlin of this world youth organization, or World Federation of Democratic Youth?

Miss DAMON. In 1950?

Mr. ARENS. Or, 1951?

Miss DAMON. In 1951, there was the world festival of youth and students for peace, which was held in Berlin.

Mr. ARENS. And where was that? In the eastern sector of Berlin, in the Soviet sector of Berlin?

Miss DAMON. It was in Berlin.

Mr. ARENS. In what sector of Berlin was it?

Miss DAMON. Yes, I imagine it was.

Mr. ARENS. Well now, you knew you were in the Soviet sector of Berlin in 1951 to attend this youth rally, did you not?

Miss DAMON. I was at the festival.

Mr. ARENS. In the course of your presence in Berlin, for this youth festival, did you make a speech?

Miss DAMON. I probably made many speeches during the festival.

Mr. ARENS. Did you, in the course of that speech in Berlin, in 1951—

Miss DAMON. Which speech?

Mr. ARENS. Say among other things:

It is our responsibility to prevent the war which is desired by the Wall Street monopoly which rules the United States and by its marionettes. The American imperialists, whose hands are already covered with the blood of their crimes against the peace-loving women, mothers, and children of Korea, are preparing new aggression and their unappeasable hunger for dollars * * *

Did you make that speech in the Russian sector of Berlin?

Miss DAMON. It doesn't sound like my language at all.

Mr. ARENS. Did you also say in that same speech in the Soviet sector of Berlin, during this session, the following:

Behind the policy of the Americans in Germany, of the Americans in French cities like Bordeaux, of the Americans in the various bases of aggression throughout the world, and, above all, the Americans in Korea, is hidden the policy of war preparation, of militarizing the American with the spending of billions for armament and nothing for the economic and cultural needs of youth, the policy of the "facistization" of America which manifests itself in the persecution of the friends of freedom and democracy, in horrible brutalities against the Negro.

Therefore, we in America are raising a great protest. We the simple people, who are flooded by the local newspapers, who write to Truman and his representatives and demand that they immediately withdraw the American troops from Korea.

Did you make that speech or is that part of a speech that you made in the Soviet sector of Berlin in 1951?

(Document marked "Exhibit No. 93a, b, see appendix, pp 7260, 7261.)

Miss DAMON. It really doesn't sound like a speech that I made.

Mr. SCHERER. You say it doesn't sound like your language. Did you have somebody write the speech for you and then you gave it?

Miss DAMON. I always wrote my own speeches.

Mr. ARENS. Did you condemn the United States military action in Korea, in your speech in the Russian sector of Berlin?

Miss DAMON. I really don't know what speech you are referring to.

Mr. ARENS. You said that you made a number of speeches in Berlin; didn't you?

Miss DAMON. You quoted there—that doesn't sound like me at all.

The CHAIRMAN. Did you make that speech?

Miss DAMON. I have stated that this doesn't sound like me, so it doesn't sound like a speech that I made.

The CHAIRMAN. I will agree with that, but did you make that statement?

Miss DAMON. I am sorry, I don't quite understand. I have stated that it isn't at all familiar to me.

The CHAIRMAN. All right. What are you reading from?

Mr. ARENS. I have a document right here that I will read from, which is an interview with Frances Damon, United States delegate representing the World Federation of Democratic Youth at the International Union of Students' Congress in Prague. That was in 1950, August 17. I should like to read this to you, Miss Damon, and ask if you will confirm or deny it.

Miss DAMON. An interview with a newspaperman, or what?

Mr. ARENS. On the radio.

The CHAIRMAN. Before you do that, ask her about her being there.

Mr. ARENS. We have established that. You were in Prague in 1950; were you not? You said so a little while ago.

Miss DAMON. I didn't say I was there in 1950, in Prague. I could have been in Prague in 1950.

Mr. ARENS. Did you, in 1950, in Prague participate in a radio program of the International Union of Students?

Miss DAMON. I cannot recall any radio program at that time.

The CHAIRMAN. Do you know an organization known as the International Union of Students?

Miss DAMON. Yes.

The CHAIRMAN. Are you a member of it?

Miss DAMON. No: I was never a member of the International Union of Students.

Mr. ARENS. Did you represent the World Federation of Democratic Youth at the conference in Prague?

Miss DAMON. It is quite possible that I did.

Mr. ARENS. Did you make these statements:

We have many examples which show that the broadcast sections of young people in the United States have increasingly spoken out to condemn the United States war of aggression against the Korean people.

Did you say that, or substantially that, in Prague, Czechoslovakia?

(Document marked "Exhibit No. 94," see appendix, p. 7262.)

(Witness consulted her counsel.)

Miss DAMON. I don't remember.

Mr. ARENS. I have before me now a message to the State Department from the consul in Berlin under date of March 1951, that, "the December 1, 1950, issue of Neues Deutschland (Berlin) carried an article under a Vienna dateline alleging that one Frances Damon, an American citizen, made a speech in Vienna at the Soviet-sponsored Third World Youth Festival." Now, were you at the Third World Youth Festival in December of 1950?

(Document marked "Exhibit No. 95," see appendix, p. 7263.)

Miss DAMON. There was no festival in December of 1950.

Mr. ARENS. Were you in Vienna, in 1950?

Miss DAMON. It is possible that I was there, but I don't remember any festival.

Mr. ARENS. What do you remember when you were there in 1950?

Miss DAMON. I don't recollect specifically being in Vienna in 1950.

Mr. ARENS. When do you recollect being in Vienna?

Miss DAMON. I visited Vienna on several occasions.

The CHAIRMAN. When?

Miss DAMON. During the course of the 7½ years.

The CHAIRMAN. You cannot make it more definite than 7½ years? If you have her passport, maybe you could show her the dates.

Mr. ARENS. We have the passport applications, but she was over there so long we are unable to pinpoint it beyond the report from the American consul abroad.

The CHAIRMAN. Did you surrender your passport when you came back to the United States?

Miss DAMON. They didn't ask for it.

The CHAIRMAN. Did you?

Miss DAMON. No: I don't have my passport.

Mr. SCHERER. Where is it?

Miss DAMON. I don't know where it is.

Mr. SCHERER. Has it expired?

Miss DAMON. Yes.

Mr. ARENS. How many speeches did you make in Europe on behalf of this World Youth Festival organization?

Miss DAMON. There was no World Youth Festival organization.

Mr. ARENS. On behalf of the organization you represented; and what was that?

Miss DAMON. The World Federation of Democratic Youth.

Mr. ARENS. How many speeches did you make in Europe?

Miss DAMON. I probably made many speeches.

Mr. SCHERER. Probably?

The CHAIRMAN. You probably made many. What does that mean?

Miss DAMON. It is hard to count over a period of so many years, and there were many occasions when meetings, conferences, and festivals were held.

Mr. SCHERER. You made many speeches as is obvious from the record and from your testimony. There is no "probably" about it.

Mr. ARENS. In 1951, in one of your speeches in Berlin, did you say?—

We send greetings to heroic Korea and to our brothers and sisters of the Soviet Union, Communist China, and the People's Democracy.

Did you allege there was a "shadow of fascism" falling across the United States?

Mr. SCHERER. Were we in war at the time that these statements were made?

Mr. ARENS. Yes.

Mr. SCHERER. Do you know the definition of treason?

Miss DAMON. May I consult with my lawyer, please?

(Witness consulted her counsel.)

Miss DAMON. I think there are two questions here; one was a speech there in Berlin, and it is difficult for me to place some of these speeches, and some of the language which is from newspaper accounts.

I am sure for example, if I sent greetings of friendship to the young people in other parts of the world, that I did so. This precise language I remember at the time from this newspaper story; there were certain words there used which I wouldn't have used, and which were, I believe, a misquote on the part of the newspaper concerned.

The CHAIRMAN. Just a moment, please.

Miss DAMON. If I spoke about a "shadow of fascism" over the United States, I believed at that time that there was, and I gave an example, I believe, then of a number of prominent people who were unable to attend the festival, and this to me is something which is not a very democratic sort of a thing. With regard to the question which Mr. Scherer asked me, "Do I know the definition of treason?" I don't know the legal definition of treason, but I am no traitor, and I love my country and my people, and I will stand up and in their interests to the best of my ability.

Mr. SCHERER. Let me tell you the definition. It is giving aid and comfort to the enemy in time of war. Do you think the speeches that you made all over Europe, that have just been read to you by counsel, were giving aid and comfort to the enemy in time of war?

Miss DAMON. I don't think that that is giving aid and comfort to the enemy in time of war to ask for friendship and to send greetings of friendship to another people. There is nothing traitorous or treasonable about this.

Mr. SCHERER. Not about that.

Miss DAMON. All of us who want peace, and we would want friendship among the peoples of the world. It is something which is very dear to the traditions of this country.

The CHAIRMAN. Let me ask you a question. You say that you made many speeches over this period of time. Where did you speak?

Miss DAMON. Are you referring to the period when I was with the World Federation of Democratic Youth?

The CHAIRMAN. Yes.

Miss DAMON. I spoke at many of the congresses and festivals.

The CHAIRMAN. Where were they?

Miss DAMON. They were held in many of the capitals of Europe, in London, in Paris, and in Prague, and in Rome, and all over.

Mr. SCHERER. Who financed your trip?

Miss DAMON. My trip? I always paid my own expenses.

Mr. SCHERER. During all of these 7½ years that you were there?

Miss DAMON. Yes.

Mr. ARENS. You said that some of these people——

Mr. SCHERER. Just a moment, please.

What was your source of income?

Miss DAMON. I have a private income.

Mr. ARENS. You said that some prominent people were unable to attend this conference in 1951 in Berlin. Who were some of these people?

Miss DAMON. I think that I mentioned Paul Robeson and Howard Fast, and I believe they are very prominent and very wonderful citizens of the country.

Mr. ARENS. Both of them have been identified as Communist agents. Did you know that?

Miss DAMON. I think that I would refuse to answer such a question, and decline to answer it on the grounds of the fifth amendment.

Mr. SCHERER. Did you send greetings in this speech to any of the non-Communist countries of the world?

Miss DAMON. Yes, I did.

Mr. SCHERER. To what non-Communist countries did you send greetings?

Miss DAMON. I think that I specifically in that speech referred to "The Youth of Britain, of France, the youth of Asia, and Africa, and Latin America."

Mr. SCHERER. Were you a member of the Communist Party when you made these speeches in Europe?

Miss DAMON. I would respectfully decline to answer such a question on the grounds of both the first and the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Miss DAMON. I would decline to answer such a question on the same grounds. I regard it as an intrusion into my personal beliefs.

Mr. ARENS. In the course of the last few years, have you been identified with the American Committee for Protection of Foreign Born?

(Witness consulted her counsel.)

Miss DAMON. I don't think so.

Mr. ARENS. I will lay before you a summary of the proceedings of the National Conference to Defend the Rights of Foreign Born Americans, in New York City, December 11, 1954, which summary was prepared by the American Committee for Protection of Foreign Born. There are set forth a list of the officials or participants in the conference including one Frances Damon of New York. I will ask you if that refreshes your recollection?

(See exhibit VI, appendix, pp. 8372-8405.)

(A document was handed to the witness.)

Miss DAMON. Yes.

Mr. ARENS. It does refresh your recollection?

Miss DAMON. Yes, sir.

Mr. ARENS. Now tell us, did you participate in that conference.

Miss DAMON. Yes, sir.

Mr. ARENS. And what was your participation?

Miss DAMON. I was invited to speak there and I spoke there on the Government's use of paid informers, and I stated at that time that the use of such paid informers had led to very grave injustices against many hundreds of innocent citizens and noncitizens of our country, and probably I said some other things.

Mr. ARENS. On what basis did you arrive at that conclusion, that the use of paid informers had caused all of these injustices?

(Witness consulted her counsel.)

Miss DAMON. You have asked for the basis on which I came to such conclusions. I had done a certain amount of study of the use of paid political informers and it would take quite a long time.

Mr. ARENS. By "paid political informer," do you mean an undercover agent for the FBI in the Communist conspiracy?

Miss DAMON. I mean a stool pigeon like we had here this morning. He named names.

Mr. SCHERER. You mean John Lautner?

The CHAIRMAN. Who were the innocent people? Just name the innocent people whom he harmed.

Miss DAMON. There are many examples of innocent people who have been harmed by the lies of paid informers.

The CHAIRMAN. Just name one for me.

Miss DAMON. Well, I can give you one example where the question of a paid informer—

The CHAIRMAN. We are talking about the man who testified this morning. What was his name?

Mr. ARENS. Mr. John Lautner, and he identified a number of people as Communists.

The CHAIRMAN. Just name one of those innocent persons.

Miss DAMON. I would have to do a little research to bring you the exact names of people but I would be very glad to give you such information.

Mr. ARENS. If someone identified you now as a member of the Communist conspiracy, would he be lying or would he be telling the truth?

Miss DAMON. I resent this implication that somehow my answer wouldn't be necessarily true.

Mr. ARENS. Tell us, are you a Communist?

Miss DAMON. I stand on the fifth amendment and the first amendment with regard to such questions, prying into my personal beliefs.

Mr. ARENS. Are you a member of the Communist Party at the present time?

Miss DAMON. Mr. Arens, I have already stated that my answer to such a question would be to stand on the first and fifth amendments.

The CHAIRMAN. And then if someone were to identify you, according to your standards you would call that person a stool pigeon, is that correct?

Miss DAMON. I am sorry, I did not quite understand the question.

The CHAIRMAN. I say, if someone would testify that they knew you to be a Communist, then according to your standards that person would be a stool pigeon, is that correct?

(Witness consulted her counsel.)

Miss DAMON. I am sorry, I don't understand that question.

The CHAIRMAN. All right, we will proceed.

Mr. SCHERER. You said, Madam, that Mr. Lautner who testified under oath before this committee yesterday and today was a stool pigeon. Now, you were present and heard his testimony, were you not?

Miss DAMON. Do I recall precisely what he said?

Mr. SCHERER. I did not say that, but were you present, that is the first question?

Miss DAMON. Was I present here in this hearing room this morning?

Mr. SCHERER. Yes.

Miss DAMON. Yes.

Mr. SCHERER. Can you tell us any one thing that he said that was not true?

Miss DAMON. This would involve me in discussing personalities, and their beliefs, and individuals, and this is something that I cannot myself do. If Mr. Lautner wishes to do it, I am sorry. It almost makes me feel very sick, but I don't want to do that.

Mr. SCHERER. You initiated the attack against this witness who came here and testified under oath, and now if you will tell me if Mr. Lautner lied to this committee in any one respect, then I will ask that his testimony and your testimony be referred to the Department of Justice to determine whether or not he lied or you lied. Will you tell us in one respect, any one thing, any one identification that he made that was false.

Miss DAMON. Mr. Scherer, I feel that you are just trying to put me into a trap.

Mr. SCHERER. No I think that I as a member of this committee have a duty to defend a man who has come here and testified under oath when you make those charges against him. You certainly are not sustaining the charge that you made. I think that your failure to answer the questions that I asked indicates that there is no basis for your charge against Mr. Lautner.

(Witness consulted her counsel.)

Miss DAMON. I think I could say this to you, Mr. Scherer, that Mr. Lautner, he didn't testify about me. He testified about some of the people whom he claims to have known or met in the past. Any one who is going to talk in that manner before, I don't care what committee or where it is, who is going to talk about the political beliefs or what they assume to be the political beliefs of other people—this to me is a stool pigeon and this is part of the whole—

Mr. SCHERER. Irrespective of the fact that you call him a stool pigeon, irrespective of what he talked about, what I want to know is in what respect he told this committee an untruth.

Miss DAMON. I think I called him a stool pigeon and he is well known as a stool pigeon. He is part of that traveling circus of these paid political informers who go from trial to trial ad nauseam.

The CHAIRMAN. To some people.

Miss DAMON. I don't know that the American people like an informer very much. You take a schoolchild, they hate somebody who squeals against them.

Mr. SCHERER. You talk about smearing people. You talk about this smearing and guilt by association. You are sitting here smearing a man who is willing to come before this committee under oath and testify, and you don't have the courage to say in what respect that man told this committee an untruth.

The CHAIRMAN. Let us proceed.

Mr. ARENS. I would like to clear up one point. Is your maiden name Frances Damon?

Miss DAMON. That is right.

Mr. ARENS. Then your full married name is Frances Damon Williams; is that correct?

Miss DAMON. I am divorced.

Mr. ARENS. You now use the name Frances Damon Williams, is that correct?

Miss DAMON. Frances Damon is really——

Mr. ARENS. You have been known under the name of Frances Damon Williams?

Miss DAMON. Oh, yes.

Mr. ARENS. Thank you, ma'am.

The CHAIRMAN. Is that all?

Mr. ARENS. Yes, sir.

The CHAIRMAN. Call your next witness.

Mr. ARENS. Mr. Russell Nixon, please come forward.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NIXON. I do.

The CHAIRMAN. Proceed, Counsel.

TESTIMONY OF RUSS (RUSSELL) NIXON

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. NIXON. My name is Russ Nixon. I live in New York City. It is a matter of public record that I am the Washington representative of the United Electrical, Radio and Machine Workers of America.

Mr. ARENS. How long have you occupied that position?

Mr. NIXON. Since 1941.

Mr. ARENS. What was your position immediately prior to your present job?

Mr. NIXON. Immediately prior?

Mr. ARENS. Yes, sir.

Mr. NIXON. I was national representative of Labor's Nonpartisan League.

Mr. ARENS. How long did you occupy that job?

Mr. NIXON. For a period of about a year. I don't know precisely, but about a year.

Mr. ARENS. Are you a Communist?

Mr. NIXON. Mr. Arens, I am going to decline to answer that question.

Mr. ARENS. Unless he gives a better reason than that, Mr. Chairman, I respectfully suggest that he be ordered and directed to answer the question.

The CHAIRMAN. For what reason are you declining to answer?

Mr. NIXON. I would like to tell you the reason that I decline to answer the question. There are two or three reasons which I would like to bring to the attention of the committee.

First, I decline to answer any question of this committee regarding my political views, activities, associations, or affiliations because I believe that such questions violate my rights under the first amendment of the Bill of Rights to the Constitution by which all citizens are guaranteed freedom of speech and peaceful association.

Secondly, I decline to answer such questions because I refuse to be a party to the Un-American Committee's repressive actions against the spirit and practice of political freedom in my country. Particularly with regard to these hearings which the committee says are directed at political subversion I object on the ground that these hearings could only be based on a legislative purpose that is profoundly unconstitutional, namely, the restriction and harassment of the right of citizens to seek through legal means to influence the legislative actions of Congress and directly attacking the right of citizens to petition for the redress of grievances.

Thirdly, I decline to answer such questions on the grounds of the protection that is afforded me by the fifth amendment of the Bill of Rights which extends to all citizens the privilege not to be a witness against himself. I assert this privilege in view of the jeopardy which I believe confronts me and every other unfriendly witness before this committee when confronted by such questions.

I assert this fifth amendment privilege because I fear for myself as well as others the invasion upon my liberty threatened by the combination of the repressive thought control legislation now in effect and the allegations of perjurious witnesses.

I utilize this valued and I believe very necessary constitutional protection emphasizing that it was written into our Bill of Rights to protect innocent persons and that its invocation is not evidence of guilt of crime or wrongdoing.

For these reasons I decline to answer the question that you have just asked me, and I will for the same reasons refuse to answer other questions that I deem to be of the same character.

I should like to say now that when and if further such questions are asked me and I say that I decline to answer for reasons already stated, I have reference to this statement which I have just completed.

Mr. ARENS. Now please tell us, sir, were you a participant in a conference of the Southern California Conference to Defend the Rights of Foreign Born Americans, February 1953, which mapped a five-point fight for the defense of the foreign born?

Mr. NIXON. I decline to answer that question for the reasons which I have just stated, and if it will help you, Mr. Arens, I am going to decline to answer any question you may ask me about any associations or relations with the American Committee for Protection of Foreign Born or any of the other groups in connection with it mentioned in the proceedings which I heard today and yesterday.

Mr. ARENS. I lay before you, if you please, sir, a photostatic copy of an article from the Daily People's World, February 10, 1953, outlining a five-point fight for the defense of the foreign born, to end Government harassment once and for all of foreign born, to defend the rights of the foreign born Americans, and calling for the outright repeal of the Walter-McCarran Law, for repeal of the "stoolpigeon"

Internal Security Act, and for similar legislation. Listed as one of the trade union leaders participating in the conference is one Russell Nixon, Washington representative of the United Electrical Workers, who according to this article "underscored the role of trade unions in the fight against Walter-McCarran and similar legislation."

Please look at that, sir, and tell us whether or not in the exercise of your political freedom which you were speaking of a little while ago you participated in that conference.

(Document marked "Exhibit No. 96," see appendix, pp. 7264, 7265.)

Mr. NIXON. On the assumption that you have read correctly, it must be obvious to you that I decline to answer that question for the reasons already stated.

Mr. ARENS. Yesterday before this committee a lady by the name of Dorothy Funn Swan took an oath and swore that while she was a member of the Communist Party she knew you as a Communist. Was she lying or was she telling the truth?

Mr. NIXON. Do you want to check your record on that? I think he wants to say something to you about it.

Mr. ARENS. Was Miss Funn lying when she took an oath before this committee the other day and identified you as a Communist?

Mr. NIXON. I refuse to answer your revised question.

Mr. ARENS. Why?

Mr. NIXON. For the reasons that I have already stated.

Mr. ARENS. Did you keynote a Walter-McCarran conference under the auspices of the Michigan Committee for Protection of Foreign Born in October 1953?

Mr. NIXON. I decline to answer for the reasons I have given.

Mr. ARENS. I lay before you now a photostatic copy of the outline of the conference of the Michigan Committee for Protection of Foreign Born headlined "Russ Nixon to keynote Walter-McCarran Conference," to be held Sunday, November 22, in Detroit, Mich. Please look at that, sir, and tell this committee while you are under oath whether or not you did keynote the conference of this committee to repeal or to emasculate the Walter-McCarran Act?

(Document marked "Exhibit No. 97," see appendix, p. 7265.)

Mr. NIXON. I decline to answer for the reasons already given.

Mr. ARENS. I lay before you a photostatic copy of an article from the Daily Worker of Tuesday, February 17, 1953, which states that a delegation of prominent Americans will see the Commissioner of Immigration in order to procure bail bond for Sam Milgrom, who is being held for deportation under the infamous McCarran-Walter Act. Please look at that article and tell us whether or not that refreshes your recollection of whether or not you did go and see the Commissioner of Immigration to try to get Sam Milgrom released under bail.

(Document marked "Exhibit No. 98," see appendix, p. 7265.)

Mr. NIXON. I decline to answer for reasons already given.

Mr. ARENS. Now I lay before you a photostatic—

Mr. SCHERER. What is the name?

Mr. ARENS. Sam Milgrom.

Mr. SCHERER. What was he held for?

Mr. ARENS. For deportation as a Communist.

Now I lay before you a photostatic reproduction of a document issued by the Midwest Committee for Protection of Foreign Born en-

titled, "Help Repeal the Walter-McCarran Law, Attend Public Hearing." (Held March 21, 1954.) Among those who are to speak at this conference are: Mr. Abner Green, executive secretary of the American Committee for Protection of Foreign Born, and Mr. Russ Nixon, legislative director of the United Electrical Workers Union.

Please tell this committee now whether or not you did participate in that conference to help repeal the Walter-McCarran law.

(Document marked "Exhibit No. 99," see appendix, p. 7266.)

Mr. NIXON. In this, as in the other documents, you are asking me about speeches which I am alleged to have made, and I decline to answer on the grounds I have already stated.

Mr. ARENS. Are you registered as a lobbyist under the Lobbying Act?

Mr. NIXON. It is a matter of public record that I am registered in conformity with the law under the Lobbying Act.

Mr. ARENS. Did you attend and participate in a session under the auspices of the Midwest Committee for Protection of Foreign Born on March 21, 1954, and did you in that conference advise those in attendance to defy the FBI and any and all national and local government investigative bodies?

Mr. NIXON. I decline to discuss that on the basis of the grounds I have already stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that in that conference you did make a speech calling upon the conferees to defy the FBI and any and all national and local Government bodies and urged the participants to write to their Congressmen, or contact Congressmen for certain legislative purposes, including the repeal or amendment of the Walter-McCarran Act.

Mr. NIXON. Mr. Arens, you are putting something to me as a fact which has very little bearing —

Mr. ARENS. Tell me whether or not it is true.

Mr. NIXON. I decline to answer your question on the grounds that I have stated.

Mr. ARENS. Is it a fact that you did so?

Mr. NIXON. Was my answer not clear?

Mr. ARENS. I lay before you a photostatic copy of the February 1954 issue of the March of Labor, which has been cited by this committee as a Communist-controlled publication, in which there is an article by one Russ Nixon with reference to congressional action and legislation which must be fought, including the Walter-McCarran Act and other such legislation. Kindly look at that, sir, and tell us whether or not you wrote that article.

(Document marked "Exhibit No. 100a-c," see appendix, pp. 7267-7269.)

Mr. NIXON. I decline to respond on the grounds that I have already stated.

Mr. ARENS. As a UE public-relations man here—or what is your title?

Mr. NIXON. As I said at the outset, I am the Washington representative of the union.

Mr. ARENS. As the Washington representative of the United Electrical Workers organization —

Mr. NIXON. Union. It is a union.

Mr. ARENS. I lay before you, as Washington representative of the United Electrical organization, a photostatic copy of a UE press re-

lease (June 23, 1954) with reference to certain of the activities of the UE legislative-wise. Please look at that and tell us whether or not you were the author of that press release.

(Document marked "Exhibit No. 101a-c," see appendix, pp. 7270-7272.)

Mr. NIXON. I decline to respond and answer your question regarding this asserted release of the United Electrical and Radio and Machine Workers of America.

Mr. ARENS. Have you been making reports from the Nation's capital to certain groups in Los Angeles from time to time?

Mr. NIXON. Wouldn't you like to make that question a little more precise, Mr. Arens?

Mr. ARENS. Well, did you make a report from the Nation's capital to a little conference out in Los Angeles in April of 1956?

Mr. NIXON. It is still quite vague. Is that the best you can do?

Mr. ARENS. Do you have a recollection of making a report to a conference in Los Angeles in April 1956, a Sixth Annual Conference to Repeal the Walter-McCarran Law and Defend its Victims held in Danish Auditorium in Los Angeles?

Mr. NIXON. I should not have had to work so hard to make you be specific. I refuse to answer that on the grounds I have already stated.

Mr. ARENS. I lay before you now a document which is the program and summary of proceedings of the Sixth Annual Conference to Repeal the Walter-McCarran Law and Defend its Victims held in Los Angeles in Danish Auditorium in which appears a keynote speech, Report from the Nation's Capital, by Russ Nixon. Please tell this committee whether or not you are that person and whether or not you made that speech.

(Document marked "Exhibit No. 102a-f," see appendix, pp. 7273-7281.)

Mr. NIXON. I decline to answer that question about an asserted speech I may have made on the grounds I have already stated to the committee.

Mr. ARENS. Do you know a man by the name of Victor Decavitch, D-e-c-a-v-i-t-c-h?

Mr. NIXON. I decline to answer on the grounds already stated.

Mr. ARENS. Mr. Decavitch identified you as a person who was known by him to be a member of the Communist conspiracy. Was he lying or was he telling the truth?

Mr. NIXON. I am not sure that I understand your use of the term "Communist conspiracy." The man you used to work for, Senator Eastland, says the Supreme Court decision on desegregation is a part of the Communist conspiracy, and the man who opened these hearings here yesterday, Archibald Roosevelt, says that the ADA is a part of the Communist conspiracy. So I don't know what you mean when you use that term, Mr. Arens.

Mr. ARENS. What do you mean by the Communist conspiracy?

Mr. NIXON. I am not going to discuss with you what I think about that subject.

Mr. ARENS. Are you a member of the Communist Party?

Mr. NIXON. You are repeating the question you asked me at the beginning of the session.

Mr. ARENS. I just wanted to make a distinction between the Communist conspiracy and the Communist Party.

Mr. NIXON. What are you doing? Are you asking me the question you asked me or are you wondering something? I just want to be precise, sir.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness, Mr. Chairman.

The CHAIRMAN. I think you would be interested in knowing that all of the circulars you got out against me in my district were a great help to me and swelled my majority to the greatest it has ever been.

Mr. NIXON. I am very sincerely sorry that is the result.

Mr. SCHERER. I have just one question.

The CHAIRMAN. I am sure of that. I don't want any Communist support from you or anybody else.

Mr. SCHERER. The question counsel asked you, what was the witness' name—Decavitch?

Mr. ARENS. Yes, sir.

Mr. SCHERER. When Mr. Decavitch identified you under oath as a member of the Communist Party, was he telling the truth to this committee?

Mr. NIXON. I think if you heard my answer to that same question put by the counsel you will understand that my answer is, that I decline to respond on the grounds that I have stated.

Mr. SCHERER. In your opening statement, witness, you talked about allegations of witnesses before this committee whom you characterized as "perjurious." Will you tell us in what respect any witness before this committee lied about your activities in the Communist Party?

Mr. NIXON. I appreciate your asking me that question. It gives me an opportunity to repeat what I did say and correct your impression. I said I assert this fifth amendment privilege because I fear for myself as well as others the invasion upon my liberty threatened by the combination of the repressive thought-control legislation now in effect and the allegations of perjurious witnesses.

Mr. SCHERER. All right, you said that there were allegations of perjurious witnesses before this committee. I am asking you—

Mr. NIXON. Of course I didn't say that, Mr. Scherer. I said what I said I said. You can't make it something different. If you want to ask me another question, that is all right; but what I said is what I said. You can ask the reporter to repeat it to you if you wish, if you don't trust my repetition.

Mr. SCHERER. I think I understand what you said.

Mr. NIXON. Very well.

Mr. SCHERER. Do you claim, then, that you made no allegation in your statement that there were perjurious witnesses before this committee?

Mr. NIXON. I didn't happen to say anything about that subject, Mr. Scherer. I said exactly what I said here. Do you want me to read it a third time? I would be very happy to do it.

Mr. SCHERER. I want you to answer my question. You made no charge, then, that there were allegations—

Mr. NIXON. I said I did not discuss that question, sir. If you wish, I will read the whole statement. I have time to do it.

Mr. SCHERER. Let me ask you, then: Is there any witness who testified before this committee who lied about your Communist activities?

Mr. NIXON. I will not discuss that subject before this committee, for the reasons that I have already made very clear.

The CHAIRMAN. Anything more, Mr. Arens?

Mr. ARENS. No more questions of this witness, Mr. Chairman.

The CHAIRMAN. Call your next witness.

Mr. ARENS. Emma Louise Mally.

The CHAIRMAN. Do you swear the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss MALLY. I swear.

TESTIMONY OF MISS EMMA LOUISE MALLY, ACCOMPANIED BY COUNSEL, MILTON H. FRIEDMAN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Miss MALLY. Emma Louise Mally, 54 West 16th Street; occupation, writer.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Miss MALLY. Yes.

Mr. ARENS. You are represented by counsel?

Miss MALLY. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. FRIEDMAN. Milton H. Friedman, F-r-i-e-d-m-a-n, New York.

Mr. ARENS. Is it Miss or Mrs?

Miss MALLY. Miss Mally.

Mr. ARENS. Miss Mally, I lay before you a photostatic reproduction of a letterhead of the Committee to Defend Choon Cha and Chungsoon Kwak (October 11, 1955), with the signature Louise Mally, secretary, addressed to "Dear Friend," with reference to a deportation case, and I ask you if you will kindly tell us if that is a correct reproduction of your signature.

(Document marked "Exhibit No. 103," see appendix, pp. 7281, 7282.)

Miss MALLY. I know what you gentlemen think of these activities designed to save the lives of fine and innocent people and no matter what I think of them I decline to answer on the grounds that my answer might tend to incriminate me.

Mr. ARENS. Do you honestly feel, Miss Mally, that if you told this committee the truth whether or not you are the secretary of the Committee to Defend Choon Cha and Chungsoon Kwak, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Miss MALLY. Are you implying, sir, that my answers are not truthful?

Mr. ARENS. Do you honestly feel that if you told me now whether or not you have been secretary of this committee you would be giving information which could be used against you in a criminal proceeding?

Miss MALLY. I decline to answer on the grounds that I gave, sir.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that last principal question.

The CHAIRMAN. Yes. You are directed to answer that question.

Miss MALLY. Yes. I do honestly feel that.

Mr. ARENS. Are you a Communist?

Miss MALLY. I decline to answer on the grounds of the first amendment, which protects freedom of association; on the grounds of the fifth amendment in that my answer might tend to incriminate me.

Mr. ARENS. Miss Mally, have you ever been an instructor at the Jefferson School of Social Science?

Miss MALLY. I have.

Mr. ARENS. Over what course of time were you an instructor there?

Miss MALLY. I think I began to teach in about 1943 or 1944, at the time that the school was first formed, and I taught until approximately 1948. I taught poetry writing and Greek literature and translation. I would like to ask you gentlemen if you feel that there is any reason why poetry writing should not be taught, if you fear that students of poetry might write a Battle Hymn of the Republic or a new Marseillaise, if you fear that any one reading Greek literature and translation might read the Trojan Women, the greatest antiwar play that has ever been written in my opinion, and learn to protest against war and the danger from the atomic bombs today?

Mr. ARENS. Were you a member of the Communist Party while you were teaching at the Jefferson School of Social Science?

Miss MALLY. I have already declined to answer any questions pertaining to membership in the Communist Party on the grounds that the freedom of association is protected by the first amendment of our Constitution and on the grounds of the fifth amendment, that that answer might tend to incriminate me.

Mr. SCHERER. Witness, did you know at the time you were teaching at the Jefferson School of Social Science that it was a Communist school?

Miss MALLY. A Communist school, sir? I don't quite understand the question. What is a Communist school?

Mr. SCHERER. I am asking you. You understand my question perfectly.

(The witness conferred with her counsel.)

Miss MALLY. I don't believe that it was a Communist school.

Mr. SCHERER. Did you learn subsequently that it was controlled and dominated by the Communist Party?

Miss MALLY. I have had no such information.

Mr. ARENS. Have you been an instructor likewise in the School for Contemporary Writers?

Miss MALLY. Yes, I think I taught one course there in poetry writing.

Mr. ARENS. Where was that?

Miss MALLY. It was in New York. I forget where it was held.

Mr. ARENS. Was that 37 East 19th Street?

Miss MALLY. It might have been. I don't remember.

Mr. ARENS. Can you tell us about when it was that you were an instructor there?

Miss MALLY. It was probably 1947 or 1948. I don't remember.

Mr. ARENS. At what other schools have you been an instructor besides the Jefferson School and the School for Contemporary Writers?

Miss MALLY. I have been an instructor in no other school to the best of my recollection. I think I gave a lecture once at Columbia Uni-

versity at the request of a professor who had to go to a funeral, on mythology.

Mr. ARENS. Now I invite your attention to a photostatic copy of an article appearing in PM, under date of April 30, 1947, which is a paid advertisement in behalf of the 1947 Communist May Day celebrations, in which there appear a number of people sponsoring the May Day celebration including the name of one Louise Mally, and I ask you if you have a recollection of lending your name to that cause.

(Document marked "Exhibit No. 104," see appendix, p. 7283.)

(The witness conferred with her counsel.)

Miss MALLY. Absolutely no recollection.

Mr. ARENS. Thank you.

The CHAIRMAN. Miss Mally, you were on this Committee To Defend Choon Cha and Chungsoon Kwak?

Miss MALLY. I decline to answer on the grounds of the fifth amendment.

The CHAIRMAN. You were secretary. Did you raise money in this endeavor?

Miss MALLY. I decline to answer on the grounds of the fifth amendment.

The CHAIRMAN. How long had these men been in the United States?

Miss MALLY. I decline to answer on the grounds of the fifth amendment.

The CHAIRMAN. What were the grounds for the deportation?

Miss MALLY. I beg your pardon?

The CHAIRMAN. What were the grounds for deportation?

Miss MALLY. If I ever knew, and I probably did at one time—

The CHAIRMAN. If you were secretary of the organization you knew; did you not?

Miss MALLY. Time passes very quickly and at times I have a rather bad memory.

The CHAIRMAN. This was only a year ago, Miss Mally.

Miss MALLY. I have had other things on my mind, sir.

The CHAIRMAN. Proceed.

Mr. ARENS. Miss Mally, I lay before you a photostatic copy of an article from the Daily Worker of May 14, 1947, which lists you as a member of the Committee To Defend Don West. Please look at that article and tell us whether or not that identification is true or false.

(Document marked "Exhibit No. 105," see appendix, p. 7284.)

(The witness conferred with her counsel.)

Miss MALLY. I seem to have been honored in many cases that I don't remember.

Mr. ARENS. Do you have a recollection of being on that Committee To Defend Don West?

Miss MALLY. I have no recollection.

Mr. ARENS. Who was Don West; do you know?

Miss MALLY. I am not absolutely sure.

Mr. ARENS. What is your best recollection?

Miss MALLY. I believe he is a minister in the South, but I don't think I have ever even met him.

Mr. ARENS. What was your connection with him; do you know?

Miss MALLY. I had no connection with him. I don't think I have ever even met him.

Mr. ARENS. Now I lay before you a photostatic copy of an article from the Daily Worker of May 25, 1948, listing you as one of the sponsors in protest against the anti-Communist Mundt bill when it was in the House of Representatives. Please look at that and see if that designation is true or false.

(Document marked "Exhibit No. 106," see appendix, p. 7285.)

(The witness conferred with her counsel.)

Miss MALLY. I have no recollection of this, but I would certainly have been glad to lend my name under the circumstances. I certainly am opposed to such bills.

Mr. ARENS. Now I lay before you the discussion outline for the fight against the Mundt-Nixon bill issued by the national education department of the Communist Party. Miss Mally, please examine that document and tell us whether or not you have received that document and utilized that in any activities by yourself against the legislation which you have just alluded to.

(Document marked "Exhibit No. 107," see appendix, pp. 7286-7289.)

(The witness conferred with her counsel.)

Miss MALLY. I can't remember but in all probability I never saw it and certainly never read it.

The CHAIRMAN. Let me interrupt at this point.

Miss Mally, I have been advised that these two Koreans for whom you were interceding had been in the United States a few years and were Communists, preaching communism and teaching communism, and that is why they were under deportation order. Did you know that at the time you were on this committee?

Miss MALLY. I have no knowledge of their political affiliations, and certainly they never preached anything to me.

The CHAIRMAN. I don't suppose that was necessary, but did you know that they were Communists?

Miss MALLY. I say I have no knowledge and had no knowledge of their political affiliations. I never asked. I do not inquire about the politics of people I know.

The CHAIRMAN. When you interceded in their behalf and organized a committee in order to prevent their deportation, did you know that they were under deportation order for advocating the overthrow of the United States Government, these aliens?

(The witness conferred with her counsel.)

Miss MALLY. I have never heard that they were charged with plotting the overthrow of the Government. I had heard that they were opposed to the government of Syngman Rhee. That is why it was dangerous for them to have been deported. As a matter of fact, it would have meant their death by torture, I understood. It is generally acknowledged by many people of various political persuasions, I should suppose, that the government of Syngman Rhee, that Syngman Rhee himself was a murderer. I knew these to be fine people. That is all I knew about them. I knew that their lives were in danger.

The CHAIRMAN. Didn't you know that they were under deportation to Europe, not to Korea? They came to the United States from Europe.

Miss MALLY. They were supposed to be deported to Syngman Rhee's government. They were not, fortunately. But this was the thing that was being fought against, that their lives might not be in danger.

The CHAIRMAN. You know all about that, but still you don't know the grounds for deportation. Is that what you want us to understand?

Miss MALLY. The grounds, the actual ground for deportation I remember now—I didn't a minute ago—was that they had overstayed their leave in this country that, whatever the technical name is, had been overstayed. This was the technical grounds as presented, if I am not mistaken, at the hearing of the deportation, whatever it is in New York.

Mr. ARENS. I lay before you now a photostatic copy of an article from the Daily Worker of October 18, 1948, in which you are identified as one of 34 individuals described as protesting the conviction of the officers of the Joint Anti-Fascist Refugee Committee, for failure to produce certain records before the House Committee on Un-American Activities. Kindly look at that document and see whether or not that description and characterization of you is true or false.

(Document marked "Exhibit No. 108," see appendix, p. 7290.)

Miss MALLY. I would certainly have protested that had I been in this country at the time. On October 18, 1948, to the best of my recollection and belief, I was in Scotland.

Mr. ARENS. Did you authorize the use of your signature?

Miss MALLY. Not to the best of my recollection.

Mr. ARENS. Did you at any time protest the use of your signature by the Communist group here in defending the Anti-Fascist Refugee Committee?

Miss MALLY. This is the first I knew that my signature was used. I would not have protested.

Mr. ARENS. It wouldn't make any difference to you whether you were in Scotland or here anyway; is that it?

Miss MALLY. I am merely stating the facts.

Mr. ARENS. Now I lay before you a photostatic copy of a letter to the editor, appearing in the Compass in December 1949, a letter ostensibly written by yourself, E. Louise Mally, for the Bookfair Committee.

Kindly tell this committee what is the Bookfair Committee?

(Document marked "Exhibit No. 109," see appendix, p. 7291.)

(The witness conferred with her counsel.)

Miss MALLY. This was a committee to the best of my recollection—and I did write that letter—which put on the sale of books, among others a book by me.

Mr. ARENS. Who were the officers of the group?

Miss MALLY. I have forgotten.

Mr. ARENS. Where was its headquarters?

Miss MALLY. Somewhere in New York.

Mr. ARENS. What was your position with the committee?

Miss MALLY. I think somebody asked me to write a letter. I don't think I had a position.

Mr. ARENS. Do you recall who it was who asked you to write the letter?

Miss MALLY. No; I do not.

Mr. ARENS. Were you a member of the American Women for Peace that traveled to Washington to demand the dismantling of atomic bombs?

Miss MALLY. My concern, sir, has always been for peace.

Mr. ARENS. Just answer the question first, ma'am. Were you a member of this American Women for Peace delegation that came to Washington in 1950?

Miss MALLY. I certainly demand the end of the atomic bomb and the end of getting strontium 90 into the milk of our children with cancer. But as far as American Women for Peace or any other organization of this sort is concerned, I know what you think of these activities which are designed to save the lives of all mankind, and I invoke the fifth amendment.

Mr. ARENS. Kindly answer the question.

Miss MALLY. I invoke the fifth amendment.

Mr. ARENS. Did you come to Washington in 1950 to protest the use or to protest the development of the atom bomb by the United States of America?

Miss MALLY. I invoke the fifth amendment.

Mr. ARENS. Were you a member of the American Women for Peace?

Miss MALLY. I decline to answer on the ground that the answer might tend to incriminate me. All women should protest.

Mr. ARENS. The Daily Worker of June 8, 1949, contains an article to the effect that the Civil Rights Congress of New York announced that the imprisonment of the three Communist leaders has resulted in scores of prominent individuals adding their names and support to a Conference on Civil and Human Rights on Saturday, June 25. Listed as one of the sponsors of this group is an E. Louise Mally. Please look at that article and tell us whether or not you were one of the sponsors of this Civil Rights Congress to protest all these things.

(Document marked "Exhibit No. 110," see appendix, p. 7292.)

It is my name. I have no recollection of it.

Mr. ARENS. Did you in 1949 join in a delegation described in the Daily Worker as trade-union leaders and cultural leaders, in protesting the jailing of the Communist traitors who were tried by Judge Medina?

Miss MALLY. What do you mean by traitors, sir?

Mr. ARENS. The Communists who were convicted under the Smith Act by Judge Medina for conspiring to overthrow the Government of the United States by force and violence.

Miss MALLY. Were they convicted as traitors? I do not believe so.

Mr. ARENS. Irrespective of what they were convicted of, did you join in a protest against their jailing?

Miss MALLY. I may have done so. I have no recollection.

Mr. ARENS. Were you part of a delegation that called on Judge Medina to try to protest this proceeding?

Miss MALLY. I don't believe I ever saw Judge Medina in my life.

Mr. ARENS. Did you try to see him?

Miss MALLY. I may have. I don't remember.

Mr. ARENS. An article in the Daily Worker of October 1952 makes reference to a delegation of the American Peace Crusade which called on the U. N. delegates to bring an end to the slaughter in Korea and for an immediate cease-fire. Were you a member of the American Peace Crusade?

(Document marked "Exhibit No. 111," see appendix, pp. 7292, 7293.)

Miss MALLY. I certainly supported all efforts to bring peace in the world. I would support it today.

Mr. ARENS. Were you a member of the American Peace Crusade?

Miss MALLY. I decline to answer on the grounds that the answer might tend to incriminate me.

Mr. ARENS. Mr. Chairman, that will conclude the staff interrogation of this witness.

The CHAIRMAN. No questions.

Call your next witness.

Mr. ARENS. Will Mr. Hugh Mulzac please come forward. Please raise your right hand and be sworn.

The CHAIRMAN. Do you swear the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MULZAC. I do.

**TESTIMONY OF HUGH MULZAC, ACCOMPANIED BY COUNSEL,
ISIDORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. MULZAC. Hugh Mulzac, M-u-l-z-a-c, 106-61 Ruscoe Street, Jamaica, Long Island. Unemployed.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MULZAC. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. MULZAC. By counsel.

Mr. ARENS. Mr. Mulzac, are you a Communist?

Mr. MULZAC. I refuse to answer that question. I invoke the fifth amendment, because I may incriminate myself.

Mr. ARENS. Mr. Mulzac, I lay before you now a photostatic reproduction from the Lamp, page 2, which is the official publication of the American Committee for Protection of Foreign Born. This edition is the March-April edition of 1954. Reference is made in the upper right-hand corner of this page to a Conference To Repeal the Walter-McCarran Law and Defend Its Victims and the establishment of a New York Committee for Protection of Foreign Born. Among the officers elected was Capt. Hugh Mulzac, chairman. Please look at that and tell us whether or not that is an accurate description of yourself.

(Document marked "Exhibit No. 112," see appendix, p. 7294.)

(The witness conferred with his counsel.)

Mr. MULZAC. I see my name here.

Mr. ARENS. Were you? We don't want any perhaps about it. Were you the chairman of this New York Committee for Protection of Foreign Born?

Mr. MULZAC. I refuse to answer. I invoke the fifth amendment.

Mr. ARENS. Why?

Mr. MULZAC. Because I may incriminate myself.

Mr. ARENS. Did you do anything wrong when you accepted the chairmanship of the New York Committee for Protection of Foreign Born?

Mr. MULZAC. I refuse to answer whether I did anything wrong or not. I refuse to answer on the same fifth amendment.

Mr. ARENS. Now I lay before you a reproduction of a letter concerning a New York Conference to Defend the Rights of Foreign Born Americans, to be held March 19, 1955, under the auspices of the New York Committee for Protection of Foreign Born. The cochairman of this conference is one Capt. Hugh Mulzac. Is that an accurate identification and description of yourself?

(Document marked "Exhibit No. 113," see appendix, p. 7295.)

Mr. MULZAC. I refuse to answer.

Mr. ARENS. You are called Captain Mulzac; aren't you?

Mr. MULZAC. Yes, sir.

Mr. ARENS. You were a ship captain at one time; were you not?

Mr. MULZAC. Yes.

Mr. ARENS. Now I lay before you a photostatic reproduction of a booklet issued by the New York Committee for Protection of Foreign Born entitled "The Walter-McCarran Law—Strait Jacket for American Liberties."

Do you recognize that document as one of those which was published under your auspices while you were chairman of the New York Committee for Protection of Foreign Born?

(Document marked "Exhibit No. 114a, b," see appendix, pp. 7296, 7297.)

Mr. MULZAC. I refuse to answer that, and I invoke the fifth amendment.

Mr. ARENS. Is the Walter-McCarran law in your judgment, as chairman of the New York Committee for Protection of Foreign Born, a straitjacket for American liberties?

Mr. MULZAC. I refuse to answer that also. I refuse to answer it under the fifth amendment.

Mr. ARENS. Are you registered as a lobbyist?

(The witness conferred with his counsel.)

Mr. MULZAC. No, I am not registered.

Mr. ARENS. Have you engaged in any activities designed to influence the passage of legislation?

Mr. MULZAC. No.

Mr. ARENS. Have you undertaken to cause the repeal of the Walter-McCarran Immigration Act?

(The witness conferred with his counsel.)

Mr. MULZAC. I invoke the fifth amendment. The answer I am making now is the same as the previous answers I have made.

Mr. ARENS. Now I show you the program for a conference on March 19, 1955, which was held under the auspices of the New York Committee for Protection of Foreign Born, in which are set forth the names of a great number of people, probably three or four dozen people, all of whom according to this pamphlet are facing deportation and are to be honored by the New York Committee for Protection of Foreign Born. Please look at that list and tell us the name of a single one who wasn't up for deportation because he was a Communist.

(Document marked "Exhibit No. 115a-f," see appendix, pp. 7298-7303.)

Mr. MULZAC. I decline to answer that under the protection of the fifth amendment.

Mr. ARENS. The truth is, is it not, that every one of these persons who was being honored by your committee was up for deportation because he was a Communist?

Mr. MULZAC. I refuse to answer that. I don't know.

The CHAIRMAN. This is a very interesting thing because it shows that all of these aliens facing deportation had been residents of the United States for a maximum of 51 years and a minimum of 17 years, and none of them was a citizen of the United States. These are aliens who were Communists and under deportation.

Mr. MULZAC. I refuse to answer that.

The CHAIRMAN. I think it is about time the committee organized a committee to protect the foreign born from alien agents instead of the committee that you have.

Mr. ARENS. Now I lay before you a document, which is a blank original petition to the Congress of the United States, issued under the auspices of the New York Committee for Protection of Foreign Born, in which this organization is attacking the Walter-McCarran law as being one of police-state conditions, persecuting thousands of non-citizens and threatening the Bill of Rights, and similar denunciations of the law.

Did your organization send that petition to any of the Members of the Congress of the United States?

(Document marked "Exhibit No. 116," see appendix, p. 7304.)

Mr. MULZAC. I decline on the same grounds, the fifth amendment.

Mr. ARENS. Captain, did you attend certain conferences to defend the rights of the foreign born in 1954?

Mr. MULZAC. I decline to answer that. I don't remember.

Mr. ARENS. I lay before you now a summary of the proceedings of a National Conference to Defend the Rights of Foreign Born Americans under date of December 1954, in which Capt. Hugh Mulzac is chairman of the proceedings. Please tell us whether or not that is an accurate description of yourself and of your participation in that proceeding.

(See exhibit VI, appendix, pp. 8372-8405.)

Mr. MULZAC. I decline under the fifth amendment.

Mr. ARENS. What is UNAVA, United Negro and Allied Veterans of America, Inc.? What is that organization?

(The witness conferred with his counsel.)

Mr. MULZAC. I decline to answer that under the fifth amendment. I do not know.

Mr. ARENS. Aren't you a member of the board of the United Negro and Allied Veterans of America, Inc.?

Mr. MULZAC. I decline to answer.

Mr. ARENS. I lay before you now a photostatic copy of letter-head of the United Negro and Allied Veterans of America, Inc., national headquarters, Washington, D. C., in which you are listed, among others, as a member of the national advisory board of that organization.

(Document marked "Exhibit No. 117," see appendix, p. 7305.)

(The witness conferred with his counsel.)

Mr. MULZAC. I decline to answer that.

Mr. ARENS. Did you join with a number of others in assailing the arrest of the Communist Party leaders who were tried in Foley Square by Judge Medina?

Mr. MULZAC. I decline under the fifth amendment to answer that.

Mr. ARENS. I lay before you a photostatic copy of the Communist Daily Worker of August 23, 1948, in which the article (entitled "Negro Leaders Assail Arrests of CP Leaders," pp. 3 and 11) lists a

number of people who joined in a statement protesting arrest of these Communists, including Capt. Hugh Mulzac. Did you let your name be used in that statement?

(Document marked "Exhibit No. 118," see appendix, p. 7306.)

Mr. MULZAC. I decline to answer that. I invoke the fifth amendment.

Mr. ARENS. Why? Were you ashamed to do that?

Mr. MULZAC. Ashamed?

Mr. ARENS. Yes.

Mr. NEEDLEMAN. Let him answer the question.

Mr. ARENS. I will take care of myself here.

Mr. NEEDLEMAN. I am taking care of the witness. You asked him why.

Mr. Chairman, he asked him why and before he could answer he posed another question. This man is over 70 years old. Mr. Chairman; this man is over 70 years old.

The CHAIRMAN. Just a moment. If you will both keep quiet we will get this straightened out. Answer that first question.

Mr. ARENS. Are you ashamed of the fact that you lent your name to the petition on behalf of these Communists?

Mr. MULZAC. I decline to answer that question, under the fifth amendment.

The CHAIRMAN. Where did you get the title "captain"?

Mr. MULZAC. Any man that is licensed by the United States Government as an oceangoing, seagoing captain has that title and the title goes with him until he dies.

The CHAIRMAN. Did you have your certificate revoked?

Mr. MULZAC. No.

The CHAIRMAN. You still have your certificate?

Mr. MULZAC. Yes.

The CHAIRMAN. Did the Coast Guard revoke your clearance?

Mr. MULZAC. Yes.

The CHAIRMAN. Why?

Mr. MULZAC. Well, I think you had better find out from the Coast Guard. I don't know.

The CHAIRMAN. I will tell you, it was because you were a Communist; isn't that it?

Mr. MULZAC. I decline to answer that.

The CHAIRMAN. All right.

Mr. ARENS. Who is Ferdinand Smith?

Mr. MULZAC. I decline to answer that.

Mr. ARENS. Did you issue a statement in 1948 protesting the arrest of Ferdinand Smith, the Communist secretary of the National Maritime Union, and saying, "Every honest American seaman has an especially warm feeling for Smith"?

Mr. MULZAC. I decline to answer that under the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of the Communist Daily Worker of February 23, 1948 (page 4) in which you are quoted as making that statement.

(Document marked "Exhibit No. 119," see appendix, p. 7307.)

Mr. NEEDLEMAN. Mr. Chairman, so the record may be clear on several questions, the witness simply said "I decline," and then something else went on. I suppose it is understood it is on the fifth amendment.

The CHAIRMAN. It is understood that when he says "I decline" it is because he is invoking the fifth amendment.

Mr. MULZAC. I decline to answer that under the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of the original letterhead, article, and signatures of the Conference on Peaceful Alternatives to the Atlantic Pact, under the date of August 21, 1949, including the signature of Capt. Hugh Mulzac, and I ask you whether or not you lent your signature and name to that enterprise.

(Document marked "Exhibit No. 120a-d," see appendix, pp. 7308-7311.)

Mr. MULZAC. I decline to answer that under the fifth amendment.

Mr. ARENS. Have you been identified with the American Peace Crusade?

Mr. MULZAC. I also decline to answer that invoking the fifth amendment on that.

Mr. ARENS. Did you call on the Secretary of the Army back in 1951 here in Washington leading a delegation of the American Peace Crusade?

(The witness conferred with his counsel.)

Mr. MULZAC. No, sir.

Mr. ARENS. You have no recollection of that?

Mr. MULZAC. No. I have no recollection of that.

Mr. ARENS. I lay before you now a photostatic copy of the Communist Daily Worker of July 3, 1950 (p. 2) containing a picture of yourself, Captain Mulzac, and Paul Robeson, and the names of others who were in a rally sponsored by the Council on African Affairs, protesting United States military action in Korea. Do you recall doing that?

(Document marked "Exhibit No. 121," see appendix, p. 7312.)

Mr. MULZAC. I decline to answer that, I refuse to answer that under the fifth amendment.

Mr. ARENS. Are you a member of the Citizens Emergency Defense Conference?

Mr. MULZAC. I decline to answer that.

Mr. ARENS. You are vice chairman of that organization; are you not?

Mr. MULZAC. I decline to answer that under the fifth amendment.

Mr. ARENS. Just look at this letterhead of the Citizens Emergency Defense Conference in which you are listed as vice chairman of the Citizens Emergency Defense Conference.

(Document marked "Exhibit No. 122," see appendix, p. 7313.)

(The witness conferred with his counsel.)

Mr. MULZAC. I decline to answer and I invoke the fifth amendment.

Mr. ARENS. Have you been one of the leaders in the fight against screening of Communists by the Coast Guard?

Mr. MULZAC. I decline to answer that under the fifth amendment.

Mr. ARENS. Now I lay before you a photostatic copy of the Communist Daily Worker of March 19, 1956 (p. 1) in which you are identified as one of the rank leaders, chairman of a Seamen's Defense Committee which, in cooperation with the Emergency Civil Liberties Committee, has been protesting and opposing the screening procedures of the Coast Guard. Please look at that and tell us whether or not that is an accurate portrayal of your role in that organization.

(Document marked "Exhibit No. 123," see appendix, p. 7314.)

Mr. MULZAC. I refuse to answer that under the fifth amendment.

Mr. ARENS. Now in answer to the chairman's question a little while ago I invite your attention to the New York Journal American, September 8, 1951 (p. 3), and see if this does not give an accurate description of yourself.

Hugh Mulzac, a merchant marine captain whose wartime career was widely publicized by the Communist Party in its publications, has been refused further maritime duties by the Coast Guard, it was learned today.

Declared a "bad security risk" by the Coast Guard, Mulzac, a Negro, may have his master's license revoked after a hearing scheduled next month in Washington. * * *

Please look at that article and tell this committee whether or not your license was revoked because you were a Communist and you were a threat to the security of this country.

(Document marked "Exhibit No. 124," see appendix, p. 7315.)

(The witness conferred with his counsel.)

Mr. MULZAC. I am going to tell the committee this: My license is not revoked. The Coast Guard hasn't proved anything against me, and the Coast Guard cannot take my license away. I have been suffering as a discriminated Negro ever since I came to this country, and I would be less than a human being, less than a citizen, if I didn't fight back for my rights. Some of these organizations that you are talking about, if you think that I should not be in them, you should, for instance, give me the right of a citizen in this country. Let me have work to do.

The CHAIRMAN. Are you a citizen of the United States?

Mr. MULZAC. I have to be a citizen to have a license as master of an oceangoing vessel.

The CHAIRMAN. If you still have a license, why aren't you working?

Mr. MULZAC. Because I am denied the privilege of working through no fault of my own, through discrimination.

The CHAIRMAN. Are you a Communist?

Mr. MULZAC. I refuse to answer that question because—

The CHAIRMAN. Because why?

Mr. MULZAC. I refuse to answer that question. I invoke the fifth amendment.

The CHAIRMAN. Maybe that is the reason you are not working.

Mr. MULZAC. Because I invoke the fifth amendment?

The CHAIRMAN. No, because you are a Communist. Is that the reason?

Mr. MULZAC. You are telling me I am a Communist? Have you proved that I am one?

The CHAIRMAN. We are not here to prove anything at all.

Mr. MULZAC. There you are.

The CHAIRMAN. I was telling you why you may not be working.

Mr. MULZAC. I don't have to incriminate myself. I am not that stupid to do that.

The CHAIRMAN. I understand that all right.

Mr. ARENS. No further questions of this witness, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Have you another witness?

Mr. ARENS. Mr. Alec Jones, please come forward.

Please remain standing while the Chairman administers the oath to you.

The CHAIRMAN. Do you swear the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JONES. I do.

**TESTIMONY OF ALEC JONES, ACCOMPANIED BY COUNSEL,
ISIDORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. JONES. My name is Alec Jones. I live at 622 West 114th Street, New York City. So far as my occupation is concerned, I would like to avail myself of the privilege given to me under the fifth amendment and the Bill of Rights of the United States Constitution.

Mr. ARENS. How long have you been engaged in your present job?

Mr. JONES. Three years.

Mr. ARENS. You are represented by counsel today?

Mr. JONES. That is wrong. A year and a half.

Mr. ARENS. You are represented by counsel today?

Mr. JONES. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York N. Y.

Mr. ARENS. This subpoena which requires your presence here today requires you also to bring certain documents, does it not, Mr. Jones?

Mr. JONES. I believe it does.

Mr. ARENS. Are you the custodian of the documents called for in the subpoena duces tecum?

Mr. JONES. I am not.

Mr. ARENS. Do you have access to those documents?

Mr. JONES. I am not.

Mr. ARENS. Who does have access to those documents?

Mr. JONES. At this point I can't say. I don't know.

Mr. ARENS. Who is secretary of the New York Committee for Protection of Foreign Born?

Mr. JONES. No one.

Mr. ARENS. Who is the chairman of the New York Committee for Protection of Foreign Born?

Mr. JONES. No one. It is out of business.

Mr. ARENS. When did it go out of business?

Mr. JONES. To the best of my recollection, about 13 or 14 months ago.

Mr. ARENS. Were you connected with the New York Committee for Protection of Foreign Born before it went out of business?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Are you a Communist?

Mr. JONES. Again I avail myself of the fifth amendment.

Mr. ARENS. What caused the New York Committee for Protection of Foreign Born to go out of business, do you know?

Mr. JONES. I decline to answer that question, again availing myself of the fifth amendment.

Mr. ARENS. Did it go underground?

Mr. JONES. I decline again on the grounds of the fifth amendment.

Mr. ARENS. Where and when were you born?

Mr. JONES. Boston, Mass. Did you ask me when or where?

Mr. ARENS. Both.

Mr. JONES. You didn't. You asked me one. 1923.

Mr. ARENS. And give us a word about your education.

Mr. JONES. I went to school in Boston, the University of Minnesota. That is it.

Mr. ARENS. When did you graduate from the University of Minnesota?

Mr. JONES. I left the University of Minnesota, I believe it was in 1947.

Mr. ARENS. And tell us your occupation after your graduated from the University of Minnesota.

Mr. JONES. I avail myself of the protection of the fifth amendment.

Mr. ARENS. Is there any period in your life since the time you graduated from the University of Minnesota concerning which you can tell this committee about your employment without giving information that could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. JONES. I worked for the CIO in Minnesota.

Mr. ARENS. Were you a Communist when you worked for the CIO in Minnesota?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Have you been the author of certain treatises, works, certain magazine articles during your career?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of an article entitled "Racist Law Begins To Grind—The infamous McCarran-Walter immigration law threatens the right of noncitizens and naturalized citizens and ultimately of all of us," by Alec Jones. This appears in Jewish Life under date of December 1952. Did you author that article attacking this legislation by the Congress as an infamous piece of legislation?

(Document marked "Exhibit No. 125a, b," see appendix, pp. 7316, 7317.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. What have you done from the standpoint of undertaking to affect legislation by the Congress?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I think the record should show at this point, if you please Mr. Chairman, that the publication in which this article appears has been cited as a Communist publication.

Mr. Jones, I lay before you a photostatic copy of the Communist Daily Worker of February 23, 1953 (p. 8). Look down here, if you please, at the lower right-hand corner which identifies you, Alec Jones, as assistant national secretary of the Committee for Protection of Foreign Born. Were you assistant national secretary of the Committee for Protection of Foreign Born on February 23, 1953?

(Document marked "Exhibit No. 126," see appendix, p. 7318.)

(The witness conferred with his counsel.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I direct your attention, if you please, Mr. Jones, to The Lamp, of the American Committee for Protection of Foreign Born, of April 1954 (March-April 1954, p. 2), in which reference

is made to a delegation being sent to Washington for the purpose of doing certain things to affect the immigration system of this country. Among others who were in this delegation is Alec Jones, executive secretary of the New York Committee for Protection of Foreign Born.

(See exhibit No. 112, appendix, p. 7294.)

Mr. ARENS. Please look at that document and tell us whether or not that is a true and accurate description of your activities.

Did you come to Washington in 1954?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. JONES. I don't recall.

Mr. ARENS. Did you come to Washington at any time in connection with a conference on legislation?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I lay before you, if you please, a photostatic copy of the letterhead of the New York Conference To Repeal the Walter-McCarran Law and Defend Its Victims (dated January 21, 1954). You appear as one of the officials of this organization. Please look at this document and tell us whether or not you are properly listed here as the secretary of this organization.

(Document marked "Exhibit No. 127," see appendix, p. 7319.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Were you the head of the Fight Back Rally in defense of the American Committee for Protection of Foreign Born held in May 1955?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I lay before you a photostatic copy of a letter of May 19, 1955, of the New York Committee for Protection of Foreign Born, with your name signed here as executive secretary. Please look at that and tell this committee whether or not that is an accurate description of yourself.

(Document marked "Exhibit No. 128a, b," see appendix, pp. 7320, 7321.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now look at this document: Walter-McCarran Law Police-State Conditions, The Story Behind the Story, issued by the New York Committee for Protection of Foreign Born. Did you prepare this document or have anything to do with its distribution?

(Document marked "Exhibit No. 129," see appendix, p. 7322.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Here is still another document: New York Committee for Protection of Foreign Born, for Release, Executive Secretary Alec Jones.

Look at that document and tell us whether or not that is one of the publications of your committee.

(Document marked "Exhibit No. 130," see appendix, p. 7323.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I invite your attention, if you please, to a document which is the March of Labor for May 1952, in which there is an article by Alec Jones, entitled "Deportation for Dissent. Union Building Is Their Crime," which is a vigorous attack against the

immigration laws by one Alec Jones. Let's tell this committee whether or not that is the article which you wrote.

(Document marked "Exhibit No. 131a-c," see appendix, pp. 7324-7326.)

Mr. JONES. I avail myself of the fifth amendment.

The CHAIRMAN. Who is the deportee?

Mr. ARENS. In this particular article there are a great number that he alludes to here, all of whom we have checked and found to be members of the Communist conspiracy.

The CHAIRMAN. It is certainly significant that they never lift a finger for those poor white slavers and poor dope peddlers and other poor fellows, only for Communists.

Mr. ARENS. Now I lay before you still another document entitled "The Walter-McCarran Law—Strait Jacket for American Liberties," issued by the New York Committee for Protection of Foreign Born, of which you have been identified as the executive secretary. Please tell us whether or not you had a hand in preparing that pamphlet.

(See exhibit No. 114a, b, appendix, pp. 7296, 7297.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. According to the Daily People's World, the Communist publication of the west coast, in 1953 you sent a letter in to the People's World (February 20, 1953, p. 5) praising them in their campaign for the repeal of the Walter-McCarran law. Please look at this exhibit and see if you recall sending that letter which is attributed to you.

(Document marked "Exhibit No. 132," see appendix, p. 7327.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I invite your attention, if you please, to a reproduction of an article appearing in the Communist Daily Worker (Feb. 25, 1954, p. 5) by one Alec Jones, entitled "Conference Saturday Will Map Fight on Walter-McCarran Law." Why don't you tell this committee now what you did to map this fight on the Walter-McCarran law in the interest of humanity, as you indicate in your article?

(Document marked "Exhibit No. 133," see appendix, p. 7328.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I lay before you still another article under your authorship: "Action-plan on McCarran-Walter." A plan of action must be taken to repeal the McCarran-Walter Act and to defend its victims, all being done under the auspices of the American Committee for Protection of Foreign Born and its affiliate groups. This article appears in Jewish Life, by Alec Jones (January 1954 issue, p. 14). Please look at that and tell us whether or not you recall being the author of that article.

(Document marked "Exhibit No. 134," see appendix, p. 7329.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I invite your attention to an article in the Beacon with respect to the activities of the New York Committee for Protection of Foreign Born, of which you were the executive secretary. At the left-hand column of this page we see a number of people indicated here as participants in various committees created by the New York Committee. We see a Yugoslav Committee, a Greek Committee, a Ukrainian Committee, a Finnish Committee, a Rose Nelson Committee and a Sons and Daughters Committee, all to be stimu-

lated to write and visit their Congressmen for the repeal of the Walter-McCarran Act.

Please look at that now and tell the House Committee on Un-American Activities if you know of the existence of such organizations alluded to in that publication.

(See exhibit No. 23b, appendix, p. 7122, 7123.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. The fact is that your committee and the American Committee for Protection of Foreign Born have created hundreds of such organizations, fronts in front of this front, all for the purpose of destroying this law. Is that not true?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I invite your attention, if you please, to the Daily Worker of February 14, 1956 (p. 8) in which it talks about a new committee being formed, the Keller Defense Committee, which was formed to defend a man by the name of James Keller, formed out in Chicago, all under the auspices of Alec Jones, education director of the American Committee for Protection of Foreign Born, who was going to be one of the speakers. Look at that article and tell this committee whether or not that is a true and accurate representation of your participation in that conference.

(Document marked "Exhibit No. 135," see appendix, p. 7330.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. What is the Sons and Daughters Defense Committee?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. You participated in the creation of a Sons and Daughters Defense Committee, did you not?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I put it to you as a fact that you did, on behalf of the American Committee for Protection of Foreign Born, participate in the formulation of an organization known as a Sons and Daughters Defense Committee for the purpose of emasculating the Walter-McCarran Immigration and Nationality Act.

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. You have done a great deal of traveling in the last year or two, have you not?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I respectfully suggest that the witness at this point be ordered and directed to answer that question, Mr. Chairman.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. JONES. I have done a lot of traveling.

Mr. ARENS. You have been in most of the States of the Union in the course of the last few years in the pursuit of this work that you can't tell us about?

(The witness conferred with his counsel.)

Mr. JONES. How many States?

Mr. ARENS. Yes, about how many States, pretty well over the Union?

(The witness conferred with his counsel.)

Mr. JONES. I have traveled about. I don't know how many States.

Mr. ARENS. Has this traveling been in pursuance of the work that you are engaged in or has it been travel for pleasure?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I lay before you a document with reference to your participation in the Ohio Committee for Protection of Foreign Born in 1953. Look at the document and tell us whether or not that is a true representation of your activities in that regard.

(Document marked "Exhibit No. 136," see appendix, p. 7331.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Now I lay before you a document with respect to the Midwest Conference to Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans, in which, according to this conference program Mr. Alec Jones, educational director of the American Committee for Protection of Foreign Born, is to give a report. Look at that and tell us whether or not you participated in that program.

(Document marked "Exhibit No. 137," see appendix, p. 7332.)

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Who is Joseph Forer? Do you know him?

Mr. JONES. I know him. He is a lawyer.

Mr. ARENS. And David Rein? Do you know him?

Mr. JONES. I know him also.

Mr. ARENS. Did your organization, the American Committee for Protection of Foreign Born, hold a testimonial banquet for Mr. Joseph Forer and David Rein under date of March 1956?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. October 1956 as indicated by this exhibit?

(Document marked "Exhibit No. 138," see appendix, pp. 7333-7349.)

Mr. ARENS. Now I lay before you a photostatic copy of a letter from yourself to Mr. Seymour Kaplan, banquet manager, Hotel Belmont Plaza, enclosing a check for \$100 for a testimonial dinner for Thursday, October 11, 1956. Please tell this committee for whom that testimonial dinner was to be held.

(Document marked "Exhibit No. 139," see appendix, p. 7350.)

Mr. JONES. I refuse to answer. I avail myself of the fifth amendment.

Mr. ARENS. Did you participate in a National Conference of Deportee Defense Committees in Chicago in 1951?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Did you create or participate in the creation of the Minneapolis Joint Committee Against Deportation?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Did you participate in the creation of the Tony Sentner Defense Committee?

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. Of the Midwest Committee for Protection of Foreign Born?

Mr. JONES. Same answer.

Mr. ARENS. Of the Michigan Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. The Los Angeles Committee for Protection of Foreign Born?

Mr. JONES. Same answer.

Mr. ARENS. The Resnikoff Defense Committee?

Mr. JONES. Same answer.

Mr. ARENS. The American-Polish Committee for Protection of Foreign Born?

Mr. JONES. Same answer.

Mr. ARENS. The Committee for Protection of Greek-Americans?

Mr. JONES. The same answer.

Mr. ARENS. The Finnish-American Freedom Committee?

Mr. JONES. The same answer.

Mr. ARENS. The Lithuanian-American Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. The Czechoslovak Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. The Northwest Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. The Hungarian-American Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. The Harisiades-Taftler Neighborhood Defense Committee?

Mr. JONES. The same answer.

Mr. ARENS. The American-Yugoslav Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. Northern California Committee for Protection of Foreign Born?

Mr. JONES. The same answer.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that, in each and every one of these instances of organizations and committees, you were one of the founding fathers of the organizations.

Mr. JONES. I avail myself of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that concludes the staff interrogation of this witness.

The CHAIRMAN. The witness is excused.

Anything further, Mr. Arens?

Mr. ARENS. Will Miss Belle Bailynson come forward, please, and remain standing while the chairman administers an oath to you.

The CHAIRMAN. Do you solemnly swear the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss BAILYNSON. I do.

TESTIMONY OF MISS BELLE BAILYNSON, ACCOMPANIED BY COUNSEL, DAVID SCRIBNER

Mr. ARENS. Kindly identify yourself by residence and occupation.

Miss BAILYNSON. My name is Belle Bailynson. I live at 1425 Third Avenue, New York. I work in a factory. I am a wirer and solderer.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Miss BAILYNSON. I am.

Mr. ARENS. You are represented by counsel. Will counsel identify himself?

Mr. SCRIBNER. David Scribner, of 9 East 40th Street, New York City.

Mr. ARENS. Miss Bailyson, I show you a photostatic copy of the official publication of the American Committee for Protection of Foreign Born entitled, "The Lamp," February-March 1951 (p. 2), in which we see an article entitled "Prominent Women Organize National Women's Appeal." A National Women's Appeal for the Rights of Foreign Born Americans was organized and Belle Bailyson is identified in this article as national secretary. Kindly look at that photostatic copy of that article and tell this committee whether or not that is a true and accurate identification of yourself.

(Document marked "Exhibit No. 140," see appendix, p. 7351.)

Miss BAILYNSON. I decline on the privilege of the fifth amendment.

Mr. ARENS. Do you honestly feel if you told this committee whether or not you were the national secretary of the National Women's Appeal for the Rights of Foreign Born Americans you would be supplying information which could be used against you in a criminal proceeding?

Miss BAILYNSON. It might.

Mr. ARENS. Are you a Communist?

Miss BAILYNSON. I refuse to answer that on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of William Wallace?

Miss BAILYNSON. I decline to answer that under the fifth amendment.

Mr. ARENS. William Wallace told this committee that he knew you as a Communist. Was he lying or was he telling the truth?

Miss BAILYNSON. Fifth amendment privilege.

Mr. ARENS. Miss Bailyson, I direct your attention to the original copy of an article from the Communist Daily Worker of January 1951 (January 19, 1951, p. 8). I lay it before you now. You will note that the article states that certain individuals were officers of a newly formed National Women's Appeal for the Rights of Foreign Born Americans. Can you tell us about that organization?

(Document marked "Exhibit No. 141," see appendix, p. 7352.)

Miss BAILYNSON. I decline under the privilege of the fifth amendment.

Mr. ARENS. Now I lay before you an original of a receipt of the National Women's Appeal, a receipt for \$25 to one Uta Hagen, and ask you if you have knowledge of the process by which Miss Hagen made a contribution to the National Women's Appeal.

(Document marked "Exhibit No. 142," see appendix, p. 7353.)

Miss BAILYNSON. I decline on the same grounds.

Mr. ARENS. Now I invite your attention to an original check signed by Uta Hagen, which is endorsed by the National Women's Appeal and then has a subsequent endorsement by the American Committee for Protection of Foreign Born, and ask you if the American Committee for Protection of Foreign Born has an interlocking relationship with the National Women's Appeal.

(See exhibit 24, appendix, p. 7126.)

Miss BAILYNSON. I decline under the fifth amendment privilege.

Mr. ARENS. Now I show you an original article from the Communist Daily Worker (May 18, 1951, p. 3) entitled "Women Visit Capital,

Assail McCarran Drive," with reference to a number of women in a delegation who came to Washington, according to this article, to protest certain of the provisions of the Internal Security Act against Communists and who protested against the Commissioner of Immigration with reference to the imminent deportation of about 170 persons and ask you if you were a participant in that movement.

(Document marked "Exhibit No. 143," see appendix, p. 7354.)

Miss BAILYNSON. I decline on the same grounds.

Mr. ARENS. Now I invite your attention to a document (photostatic copy of p. 2 of The Lamp, October-November, 1951) with reference to the National Women's Appeal conducting a campaign for certain aliens and ask you if you will kindly identify that document for us.

(Document marked "Exhibit No. 144," see appendix, p. 7355.)

Miss BAILYNSON. I decline on the same grounds.

Mr. ARENS. Did the National Women's Appeal of which you were the national secretary hold a reception in the Jewish Cultural Center in 1951 in Detroit?

Miss BAILYNSON. I decline on the same grounds.

Mr. ARENS. I lay before you now a photostatic copy of the program of that reception in 1951 in Detroit and ask you if you will kindly identify it.

(Document marked "Exhibit No. 145a, b," see appendix, pp. 7356, 7357.)

Miss BAILYNSON. I decline under the fifth amendment privilege.

Mr. ARENS. Tell this committee how many people are in National Women's Appeal for the Rights of Foreign Born Americans.

Miss BAILYNSON. I decline on the same grounds of the fifth amendment.

Mr. ARENS. What have you done in the course of the last few years to assert your views on legislative matters?

(The witness conferred with her counsel.)

Miss BAILYNSON. I decline to answer.

Mr. ARENS. I lay before you now a document of the National Women's Appeal for the Rights of Foreign Born Americans entitled "Save Them From Banishment and Death" in which the recipient is urged to write to Congressmen urging them to "support the repeal of the Walter-McCarran Law" and "help repeal the modern 'Alien and Sedition' Law—the Walter-McCarran Act. Halt the persecution of foreign born. Safeguard and maintain the American home and family" against the attacks of those who are undertaking to enforce this act.

Kindly tell this committee whether or not you had a hand in preparing that publication of the National Women's Appeal.

(Document marked "Exhibit No. 146a-d," see appendix, pp. 7358-7361.)

Miss BAILYNSON. I decline under the fifth amendment privilege.

The CHAIRMAN. Let me see that.

Mr. ARENS. Do you know a woman by the name of Miriam Doyle?

Miss BAILYNSON. I decline to answer.

Mr. ARENS. Miriam Doyle replaced you as the national secretary of the National Women's Appeal, did she not?

Miss BAILYNSON. I refuse to answer on the same grounds.

Mr. ARENS. I lay before you now the original article taken from the Communist Daily Worker of May 1953 (May 12, p. 5) in which there appeared a letter from Miriam Doyle, executive secretary of the

National Women's Appeal and see if that refreshes your recollection with reference to your successor.

(Document marked "Exhibit No. 147," see appendix, pp. 7362, 7363.)

Miss BAILYNSON. I decline on the same grounds previously stated.

Mr. ARENS. Have you been identified with the Civil Rights Congress?

Miss BAILYNSON. I decline to answer that on the same grounds.

Mr. ARENS. I invite your attention to the Communist Daily Worker of October 1948 (October 27, p. 7) in which one Belle Bailyson is scheduled to address the election canvassers on a program called "Help Put Out Our Reichstag Fire" in which William L. Patterson ("National Executive Secretary, Civil Rights Congress") is to participate, and in which John Gates, one of the 12 indicted Communist Party leaders, is to participate, and in which one Belle Bailyson ("United Electrical Workers Union Org.") is listed as a speaker and I ask you if that was a correct designation of yourself as an affiliate of that group.

Miss BAILYNSON. I decline to answer.

Mr. ARENS. Are you connected with the United Electrical Workers?

Miss BAILYNSON. Not any longer.

Mr. ARENS. Have you been connected with them?

Miss BAILYNSON. Yes, I have.

Mr. ARENS. In what capacity?

Miss BAILYNSON. I was a member of the union.

Mr. ARENS. Did you hold any office or post?

Miss BAILYNSON. I was the organizer of activities of the local I belonged to.

Mr. ARENS. What local was that?

Miss BAILYNSON. It was local 430 in the UE. It isn't any longer.

Mr. ARENS. Where was that located?

Miss BAILYNSON. In Manhattan.

Mr. ARENS. What type of work were the workers engaged in in that particular local?

Miss BAILYNSON. Radio, television, and transformer parts and various other things.

Mr. ARENS. Are you presently affiliated with UE?

Miss BAILYNSON. No, I am not.

Mr. ARENS. Did you have to sign a non-Communist affidavit when you were with UE?

Miss BAILYNSON. I decline to answer that for the reasons given previously.

Mr. ARENS. I respectfully suggest, Mr. Chairman, she be directed to answer that question.

(The witness conferred with her counsel.)

Mr. SCRIBNER. What was the question?

Mr. ARENS. I asked if she signed the non-Communist affidavit.

(The witness conferred with her counsel.)

Miss BAILYNSON. Yes, I did.

Mr. ARENS. In that affidavit what did you say?

Miss BAILYNSON. I signed the affidavit which stated I was not a member of the Communist Party.

Mr. ARENS. Was it truthful?

Miss BAILYNSON. I signed the affidavit.

Mr. ARENS. Was it truthful?

Miss BAILYNSON. It was.

Mr. ARENS. Were you a member of the Communist Party when you signed that affidavit?

Miss BAILYNSON. I just answered that it was truthful affidavit.

Mr. ARENS. When did you sign it?

Miss BAILYNSON. I signed it on September 10, 1951.

Mr. ARENS. Were you a member of the Communist Party any time during 1951?

Miss BAILYNSON. I decline to answer that under the fifth amendment privilege.

Mr. ARENS. Were you a member of the Communist Party on September 9, 1951?

Miss BAILYNSON. I decline to answer that under the fifth amendment privilege.

Mr. ARENS. Were you a member of the Communist Party on September 11?

Miss BAILYNSON. I decline to answer that under the fifth amendment privilege.

Mr. ARENS. Did you resign from the Communist Party for 1 day in order to be able to sign the non-Communist affidavit?

Miss BAILYNSON. I decline to answer that question on the same grounds.

Mr. ARENS. Were you under Communist Party discipline when you signed the non-Communist affidavit?

Miss BAILYNSON. I decline to answer that on the same grounds.

The CHAIRMAN. Did the witness testify as to her membership in the National Women's Appeal for the Rights of Foreign Born Americans?

Mr. ARENS. She invoked the fifth amendment.

Miss BAILYNSON. Have you been identified with a trade union council or conference for Negro rights under date of 1950?

Miss BAILYNSON. I decline to answer that under the privilege of the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of a call to a National Trade Union Conference (June 10 and 11, 1950) held for Negro rights under the auspices, among others, of the Harlem Trade Union Council, in which you are listed as one of the initiating sponsors, and ask you whether or not that is a correct and accurate and truthful designation.

(Document marked "Exhibit No. 148a-d," see appendix, pp. 7364-7367.)

Miss BAILYNSON. I decline to answer that on the same grounds.

Mr. ARENS. What have you done in the cause of peace in the course of the last few years?

Miss BAILYNSON. I decline to answer that question on the same grounds previously stated.

Mr. ARENS. You have been identified as a leader of the American Women for Peace.

Miss BAILYNSON. I decline to answer that on the same grounds.

Mr. ARENS. I lay before you now a photostatic copy of a page of the Communist Daily Worker of October 23, 1950 (p. 1), in which you are identified with the Women for Peace and ask if that is a truthful and accurate designation.

(Document marked "Exhibit No. 149," see appendix, p. 7368.)

Miss BAILYNSON. I decline to answer on the same grounds as previously stated.

Mr. ARENS. In the course of the last few years have you been doing a good deal of speaking around on behalf of various groups and organizations in New York City?

Miss BAILYNSON. I decline to answer that on the same ground previously stated.

Mr. ARENS. Were you activities director of local 430 of UE?

Miss BAILYNSON. I was.

Mr. ARENS. And, as activities director of local 430 of UE, did you address certain groups in defense of the Communists who were being tried at Foley Square in New York?

Miss BAILYNSON. Anything I did as activities director of local 430 of UE I did with the knowledge of the executive board and the approval of the membership, which was generally done as a result of discussion with the membership.

Mr. ARENS. That doesn't answer the question. Please tell the committee whether or not, as activities director of UE Local 430 in New York, you did make speeches before rallies in New York City on behalf of the 12 Communists who were being tried or were tried in New York City.

Miss BAILYNSON. I decline to answer that on the fifth amendment.

Mr. ARENS. Have you ever been registered under the Lobbying Act?

Miss BAILYNSON. No; I have not.

Mr. ARENS. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. ARENS. We still have one more.

Mona Schneider, please.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JONES. I do.

TESTIMONY OF MRS. MONA SCHNEIDER JONES, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. JONES. My name is Mona Schneider Jones. I live at 622 West 114th Street, New York City. I am a recreation therapist.

Mr. ARENS. Where are you employed?

Mrs. JONES. In New York City.

Mr. ARENS. Where is the recreational organization which employs you, the name of the place, please?

Mrs. JONES. It is a hospital at 68th Street and New York Avenue.

Mr. ARENS. Are you secretary of the Sons and Daughters of the Foreign Born?

(The witness conferred with her counsel.)

Mrs. JONES. No; I am not.

Mr. ARENS. Have you ever been secretary of the Sons and Daughters of the Foreign Born?

(The witness conferred with her counsel.)

Mrs. JONES. I will have to decline to answer that question because I believe it violates the spirit and letter of the first amendment to the Constitution, and I also have to decline to answer that question under the protection, historical and moral protection, afforded me under the fifth amendment to the Constitution.

Mr. ARENS. Was this organization a Communist organization?

Mrs. JONES. I shall have to decline to answer that question on the basis stated previously.

Mr. ARENS. Is that organization still in existence?

Mrs. JONES. No, it is not.

Mr. ARENS. When did it cease to be in existence?

Mrs. JONES. It has been out of existence for more than 2 years, approximately 2 years or more, even.

Mr. ARENS. And how long was it in existence when it did exist?

(The witness conferred with her counsel.)

Mrs. JONES. About 2 years, approximately.

Mr. ARENS. Where was it headquartered?

(The witness conferred with her counsel.)

Mrs. JONES. Would you repeat that, please?

Mr. ARENS. Where was it headquartered.

Mrs. JONES. It was an informal group, but if you can speak of headquarters, it met at the offices of the American Committee for Protection of Foreign Born.

Mr. ARENS. Was it an affiliate of the American Committee for Protection of Foreign Born?

(The witness conferred with her counsel.)

Mrs. JONES. I will have to decline to answer that question on the basis previously stated.

Mr. ARENS. How do you know it met at the headquarters of the American Committee for Protection of Foreign Born?

Mrs. JONES. The same answer.

Mr. ARENS. I respectfully suggest she said it met at the headquarters of the American Committee for Protection of Foreign Born. She volunteered that information. I think she should be required to answer the question as to how she knew it met at the headquarters of the American Committee for Protection of Foreign Born.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. JONES. I decline to answer.

Mr. ARENS. Who were the officers of the Sons and Daughters of the Foreign Born?

Mrs. JONES. I decline to answer on the basis before mentioned.

Mr. ARENS. How many members were there in the Sons and Daughters of the Foreign Born?

Mrs. JONES. I decline to answer on the same basis.

Mr. ARENS. Was any member of your family ever up for deportation?

Mrs. JONES. I decline to answer on the basis mentioned previously.

Mr. ARENS. Mrs. Jones—

The CHAIRMAN. Just a moment.

I direct you to answer the question.

(The witness conferred with her counsel.)

Mrs. JONES. I decline to answer the question on the same basis mentioned previously.

Mr. ARENS. Are you related to any witness who has testified here today?

(The witness conferred with her counsel.)

Mrs. JONES. Yes, I am.

Mr. ARENS. And to whom are you related?

Mrs. JONES. Mr. Jones.

Mr. ARENS. That is Alec Jones?

Mrs. JONES. That is right.

Mr. ARENS. You are his daughter?

Mrs. JONES. No, I am his wife.

Mr. ARENS. I beg your pardon.

Mrs. JONES. I should think you would, if a lady may have that prerogative.

Mr. ARENS. How come you used the name Schneider and he uses—

Mrs. JONES. That is my maiden name. You asked me to identify myself and I did as Mona Schneider Jones.

Mr. ARENS. I see.

I lay before you, Mrs. Jones, a photostatic copy of the Lamp, which is the official publication of the American Committee for Protection of Foreign Born (October-November-December 1952 issue) in which there is an article describing a new youth organization, the Sons and Daughters of the Foreign Born in the Fight Against Deportation, and among others is listed Mona Schneider as secretary of the group and Evelyn Barnett as treasurer.

(Document marked "Exhibit No. 150," see appendix, p. 7369.)

I ask you if that is a correct and accurate designation of yourself.

Mrs. JONES. I decline to answer on the basis previously stated.

Mr. ARENS. I lay before you now a photostatic copy of still another document—"We are the Sons and Daughters of the Foreign Born. Help us fight for our future. Write the Attorney General and others," the Statue of Liberty, a quotation of Emma Lazarus, and other appealing phrases—all issued soliciting response by the recipient.

I ask you if you participated in the formulation of that document.

(Document marked "Exhibit No. 151a-c," see appendix, pp. 7370-7372.)

Mrs. JONES. I decline to answer on the basis previously stated.

Mr. ARENS. Now I lay before you a reproduction of a letter of the Sons and Daughters of the Foreign Born in the Fight Against Deportation, with the name of Mona Schneider, as secretary, calling upon the friends who are the recipients to do all they can to obtain information against the Smith and Walter-McCarran Acts and to mobilize large sections of young people for their repeal and to work with certain groups to stop the hysteria deportation attacks under the Walter-McCarran Act. I ask you if that is a document which you prepared.

(Document marked "Exhibit No. 152," see appendix, p. 7373.)

Mrs. JONES. I will have to decline on the basis previously stated.

Mr. ARENS. Now I invite your attention to still another document, a photostatic copy of the Communist Daily Worker for December 11, 1952 (pp. 3 and 6), with reference to a meeting at which you spoke at Webster Hall. It was a meeting called to challenge the Walter-McCarran Act. I ask you if you have a recollection of making that address.

(Document marked "Exhibit No. 153," see appendix, pp. 7373, 7374.)

(The witness conferred with her counsel.)

Mrs. JONES. I decline to answer on the basis previously stated.

Mr. ARENS. In 1951 did you accompany a group from New York City that visited the capital to fight the Walter-McCarran Act and to fight deportations under the International Security Act?

Mrs. JONES. I decline to answer on the basis previously stated.

Mr. ARENS. In 1953 did you take another little trip down to Washington as a member of the children of McCarran law victims?

Mrs. JONES. Would you read that over again?

Mr. ARENS. I lay before you now the original article from the Communist Daily Worker of March 26, 1953, page 3, in which are listed the leaders of a group who came to Washington to protest the threatening nature of the Walter-McCarran Act, how it is breaking up families and all of the infamous things which it, according to this article, was doing, and I ask you if that prompts your recollection.

(The witness conferred with her counsel.)

(Document marked "Exhibit No. 154," see appendix, pp. 7374, 7375.)

Mrs. JONES. No. I shall have to decline to answer that question for the same reasons and on the same basis previously stated.

Mr. ARENS. Do you honestly feel if you told the truth with respect to your activities legislative-wise you would be supplying information which might be used against you in a criminal proceeding?

Mrs. JONES. Possibly could.

Mr. ARENS. Have you ever registered under the Lobbying Act?

Mrs. JONES. No, I have not.

Mr. ARENS. Has your organization registered under the Lobbying Act?

Mrs. JONES. No, it has not.

Mr. ARENS. In 1952 did you attend a conference in Detroit?

Mrs. JONES. I decline to answer that question for the same reason.

Mr. ARENS. Were you in Detroit at all in 1952?

(The witness conferred with her counsel.)

Mrs. JONES. I may have been. I do not remember.

Mr. ARENS. Do you have a recollection of a conference in Detroit to defend the rights of foreign born Americans in which you participated on a youth panel?

Mrs. JONES. I am afraid I shall have to decline to answer that question for the same reason and on the same basis stated before.

Mr. ARENS. Are you now a Communist?

Mrs. JONES. I shall have to decline to answer that question for the same reasons and on the same basis as stated before.

The CHAIRMAN. Do you decline?

Mrs. JONES. Yes, I do decline on the same basis and for the same reasons.

(Witness excused.)

The CHAIRMAN. The committee is now adjourned to meet tomorrow at 10 o'clock.

(Whereupon, at 5 p. m. the committee was recessed, to reconvene at 10 a. m. Wednesday, November 14, 1956.)

COMMUNIST POLITICAL SUBVERSION

WEDNESDAY, NOVEMBER 14, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, at 10 a. m., pursuant to recess, in the Caucus Room, Old House Office Building, Hon. Francis E. Walter, chairman, presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

Call your first witness, please, Mr. Arens.

Mr. ARENS. Will Mr. Rotenberg please come forward.

Mr. A. HARRY LEVITAN. Whom did you call? Mr. Sol Rotenberg? I saw him in the corridor. May I call him, please?

Mr. ARENS. Surely.

Mr. LEVITAN. I am Mr. Levitan, his attorney. I saw him a moment ago and spoke to him. I ask that you pass him for a moment, sir. I am sure he is here.

(Brief recess.)

Mr. LEVITAN. Where would you prefer to have the witness?

The CHAIRMAN. Raise your right hand, sir.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROTENBERG. I do.

TESTIMONY OF SOL ROTENBERG, ACCOMPANIED BY COUNSEL, A. HARRY LEVITAN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. ROTENBERG. My name is Sol Rotenberg. I live at 29 East Tulpehocken Street, Philadelphia.

Mr. ARENS. And your occupation, please?

Mr. ROTENBERG. I am an insurance agent.

Mr. ARENS. For what company?

Mr. ROTENBERG. Oh, I write for a number of companies.

Mr. ARENS. Mr. Rotenberg, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ROTENBERG. I received a subpoena, sir.

Mr. ARENS. And you are represented by counsel?

Mr. ROTENBERG. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. LEVITAN. I am A. Harry Levitan, L-e-v-i-t-a-n, with offices at 1412 Fox Building, Philadelphia.

Mr. ARENS. Mr. Rotenberg, please tell us where and when you were born.

Mr. ROTENBERG. I was born in Philadelphia, October 9, 1911.

Mr. ARENS. And give us, if you would, please, sir, a brief résumé of your education.

Mr. ROTENBERG. I went to the Philadelphia public schools, grammar school, and high school.

Mr. ARENS. When did you complete your education at high school?

Mr. ROTENBERG. 1929.

Mr. ARENS. Now give us, if you please, just a thumbnail sketch of the principal employments which you have had since you terminated your formal education.

(The witness conferred with his counsel.)

Mr. ROTENBERG. Since I graduated high school in 1929, I have worked at many jobs in the last 27 years.

Mr. ARENS. Just give us the principal employments you have had.

Mr. ROTENBERG. I believe this is a matter which does not necessarily require an answer from me because of the fact that I don't believe it has anything to do with my appearance here, sir.

Mr. SCHERER. I ask that you direct the witness to answer the question, Mr. Chairman.

The CHAIRMAN. What is your reason for not answering the question?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that I would respectfully decline to answer that question on the grounds of the constitutional amendments.

The CHAIRMAN. On which one are you relying?

Mr. ROTENBERG. On the first and fifth, sir.

The CHAIRMAN. In other words, you take the position that if you would answer the question as to any of your employments you might be prosecuted criminally?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I have already given my reason, sir.

The CHAIRMAN. All right. I direct that you answer the question.

Mr. LEVITAN. Will you repeat the question, please?

Mr. ARENS. The question was simply a request that the witness kindly tell the committee the principal employments he has had since completing his formal education.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that I would rest on my previous answer.

Mr. SCHERER. Just a moment. Now I ask, Mr. Chairman, that the witness be directed to answer your question; namely, whether or not he feels that to answer as to his employment might tend to lead to a criminal prosecution.

The CHAIRMAN. Yes. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that an answer to the question as to my previous employment I believe involves an intrusion upon the freedom of association which is guaranteed in the first amendment to the Constitution.

The CHAIRMAN. We are not asking you about your associations.

Mr. LEVITAN. May he continue his answer, please? And?

Mr. ROTENBERG. And, secondly, I would also invoke the guaranty of the fifth amendment to the Constitution, which prohibits the elicitation of testimony from someone where it might possibly lead to some criminal prosecution.

The CHAIRMAN. In other words, you are fearful that if you answered the question as to your employment since you left school up to the present time, you might be prosecuted criminally?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I have already answered that question.

The CHAIRMAN. What is your answer, "Yes" or "No"?

Mr. ROTENBERG. I have answered it previously.

The CHAIRMAN. Answer it again.

Mr. ROTENBERG. I would say, sir, to summarize my previous answer, that I rely on the first amendment, with respect to the freedom of association, and the fifth amendment, with respect to the possibility of any testimony being given that might possibly lead to some criminal prosecution.

Mr. ARENS. How long have you been engaged in your present occupation?

Mr. ROTENBERG. About 2 years, sir.

Mr. ARENS. And what was your employment immediately prior to your present occupation?

Mr. ROTENBERG. I would decline to answer that question for the reasons previously given.

Mr. ARENS. I invite your attention to a photostatic copy of a nominating petition for the Communist Party, in which appear a number of signatures, including the signatures of one Sol Rotenberg. Kindly look at the document and tell us whether or not that is your signature.

(Document marked "Exhibit No. 155," see appendix, p. 7376.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would decline to answer that question, sir, on the grounds of the first and fifth amendments, which guarantee the rights of freedom of association and the refusal to give testimony which might lead to a criminal prosecution.

Mr. ARENS. Mr. Rotenberg, each witness before this committee is allowed certain expense money and allowed a per diem. In order to receive that, it is necessary that he sign a voucher. We have a voucher prepared here for you, and I request that you now at this time opposite the word "payee" affix your signature.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I decline for the reasons already given.

Mr. ARENS. Do you decline to sign the pay voucher pursuant to which you would be receiving the per diem and your expenses for your appearance before the committee today?

(The witness conferred with his counsel.)

Mr. ROTENBERG. At this time, I would decline to sign the voucher for the same reasons already given. I understand from the rules of the committee and the booklet which was handed to me by the Federal marshal that the payment of the per diem and the expense voucher is to be done, after testimony has been completed, in the office of the clerk of the committee.

The CHAIRMAN. The marshal told you that?

Mr. ROTENBERG. No; it is printed in the rules, sir, of the procedure of the committee. I happened to glance through those rules and noticed that this was the procedure.

The CHAIRMAN. All right, go ahead.

Mr. ARENS. I lay before you now, if you please, sir, a photostatic copy of a portion of the catalog of the Philadelphia School of Social Science and Art for the fall of 1944, and ask you kindly to look at that catalog, particularly that portion which sets forth a lecture to be given on the Problems and Perspectives of the Jewish People by one Sol Rotenberg, and tell us whether or not you are the Sol Rotenberg alluded to in that document.

(Document marked "Exhibit No. 156," see appendix, p. 7377.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I will decline to answer that question, sir, for the reasons previously given on the basis of the first and fifth amendments.

The CHAIRMAN. May I see the document?

Mr. ARENS. Shall I proceed, Mr. Chairman?

The CHAIRMAN. Yes. Go ahead.

Mr. ARENS. Now, Mr. Rotenberg, I lay before you a photostatic copy of an announcement of a celebration on the occasion of the fourth anniversary of the American Youth for Democracy, a banquet held at the Benjamin Franklin Hotel on November 18, 1947, and ask you if you will kindly look at that and tell this committee whether or not you are the Sol Rotenberg listed here as one of the sponsors of that occasion.

(Document marked "Exhibit No. 157a-c," see appendix, pp. 7378-7380.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. Do you mean, sir, on the second page where there is a list of names, Marc Chagall and Reverend Cunningham and Reverend Logan et cetera, in this list?

There are several pages here.

Mr. ARENS. Excuse me, Counsel.

I am alluding to the second page of the document where there appears under the title "Sponsors," the name of Sol Rotenberg, and I ask you if you are he.

Mr. ROTENBERG. I would say, sir, on the basis of the first amendment, which protects the right of freedom of association and the fifth amendment, which prevents the necessity of giving testimony which may lead to a criminal prosecution, I would decline to answer the question.

Mr. ARENS. I invite your attention, if you please, sir, to a document which is a call to a Bill of Rights conference to be held in New York City in July 1949—July 16-17—in which a number of persons are listed as sponsors, including a person identified here as Sol Rotenberg,

of Philadelphia, Pa. Kindly look at that and tell us whether or not you were a sponsor of that conference.

(See exhibit 62d, appendix, p. 7204.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I presume, sir, you refer to page 5 of this document.

Mr. ARENS. I refer to that page on which your name appears.

Mr. ROTENBERG. This is a page which is headed by Dr. Rabe.

Mr. ARENS. Is that the one which has Sol Rotenberg's name on it?

Mr. ROTENBERG. O. John Rogge and other names on it.

Mr. ARENS. Is that the one which has Sol Rotenberg's name on it?

Mr. ROTENBERG. Yes; that is page 5.

Mr. ARENS. Kindly answer the question, if you please, sir.

Mr. ROTENBERG. I would say, sir, that this call to a Bill of Rights conference would certainly seem to indicate that people were concerned about the Bill of Rights, but I would decline on the basis of the first amendment and the freedom of association and the fifth amendment with respect to answering your question.

Mr. ARENS. Did you attend that conference?

Mr. ROTENBERG. I would answer the same answer for the same reason.

Mr. ARENS. At that particular conference there was an attack against the Federal Bureau of Investigation; was there not?

Mr. ROTENBERG. I would decline to answer, sir, for the same reason.

Mr. ARENS. At that conference there was also a resolution voted down unanimously, which resolution would have restored civil liberties for members of the Socialist Workers Party, the so-called Trotskyite organization; was there not?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I could only give you the same answer, sir.

Mr. ARENS. Did you participate in the conference?

Mr. ROTENBERG. I would give you the same answer for the same reason, that the first amendment protects the freedom of association and the fifth amendment protects the right of individuals to be free in testimony from contributing to any possibility of a criminal prosecution.

Mr. ARENS. Did you participate in December of 1951 in a conference called in behalf of victims of Smith Act repression? Do you have a recollection of such a conference held in Philadelphia?

Mr. ROTENBERG. I must decline to answer that question, sir, since this question also deals with the right of association and also for the fifth amendment with respect to the freedom to protect one's self against the possibility of a criminal prosecution.

Mr. ARENS. I lay before you now a photostatic copy of an article on page 8 of the Communist Daily Worker of December 21, 1951, entitled "Babstist [sic] Cleric Urges Prayer for Victims of the Smith Act," with reference to a rally and a conference which was held in Philadelphia in December of 1951 in which a number of people participated, including one Sol Rotenberg, identified as executive director of the Jewish People's Fraternal Order. Kindly look at that and tell us whether or not you are he.

(Document marked "Exhibit No. 158," see appendix, p. 7381.)

Mr. ROTENBERG. I believe this question, sir, also goes to the heart of the matter with respect to freedom of association, and I will de-

cline to answer the question on that ground and also on the ground that a witness should not be compelled to give any testimony which might lead to a criminal prosecution.

Mr. ARENS. Were you executive director of the Jewish People's Fraternal Order in December of 1951?

Mr. ROTENBERG. I will give you the same answer, sir, for the same reasons.

Mr. ARENS. Do you know a man by the name of Herman Thomas?

Mr. ROTENBERG. I will give you the same answer, sir, for the same reasons.

Mr. ARENS. Mr. Herman Thomas identified you under oath as a person known by him to have been a member of the Communist conspiracy. Was he lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I think I am compelled, sir, to give you the same answer for the same reasons.

The CHAIRMAN. You are not under any compulsion at all. You are not compelled.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I feel, sir, that I am compelled to give that answer because, sir—

The CHAIRMAN. Do you give that answer?

Mr. ROTENBERG. I do give that answer.

The CHAIRMAN. All right.

Mr. ROTENBERG. I am compelled to give that answer by my own conscience, as well as by my desire to see that the rights guaranteed by the Constitution are not trampled upon by anybody.

(The witness conferred with his counsel.)

Mr. ARENS. Do you honestly fear that if you told this committee whether or not Herman Thomas was telling the truth when he took an oath and told the committee that he knew you as a member of the Communist conspiracy, you would be supplying information which might be used against you in a criminal proceeding?

Mr. ROTENBERG. I would give you the same answer, sir, for the same reasons I have already indicated.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer Mr. Arens' question either yes or no.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I have refused to answer this question, sir, because of the first amendment, which guarantees the right of freedom of association, and the fifth amendment, which prevents the elicitation of testimony—

The CHAIRMAN. We are not talking about associations with anybody. We are not talking about associations. We are talking about the testimony that was adduced before this committee some time ago.

Mr. LEVITAN. Would you be good enough to continue with your answer, Mr. Rotenberg?

The CHAIRMAN. You go ahead and ask a question, Mr. Arens. He has answered that question.

Mr. ARENS. Mr. Rotenberg, I lay before you now a photostatic copy of a document (a release dated Wednesday, December 14, 1949), which is a statement—

Mr. LEVITAN. Excuse me. One moment, please.

The CHAIRMAN. Go ahead.

Mr. ARENS. Of the Committee for Peaceful Alternatives to the Atlantic Pact, and in this particular document—

Mr. LEVITAN. Mr. Rotenberg did not answer the question.

Mr. ARENS. In this particular document, we find the name of Rotenberg, who signed a petition under the auspices of the Committee for Peaceful Alternatives to the Atlantic Pact. Kindly look at that document, sir, and tell us whether or not that is your name.

(Document marked "Exhibit No. 159a-d," see appendix, pp. 7382-7385.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. First I want to make it very clear that in respect to the previous question I did not complete my answer to it.

The CHAIRMAN. You refused to answer the question on the grounds that the answer might incriminate you, because of the first amendment.

Mr. ROTENBERG. First and fifth amendments.

The CHAIRMAN. What more did you wish to add?

Mr. ROTENBERG. I was interrupted, sir. You had started to speak, and I stopped and listened to what you were saying. I hadn't completed the answer. I wanted to say that the reason I had refused to answer the question, after being directed to do so, was because, firstly, the freedom of association was endangered, which is guaranteed in the first amendment to the Constitution, and that the fifth amendment guarantees protection to those who wish to prevent any testimony being given by themselves which might possibly be used.

The CHAIRMAN. That is the answer you gave before. Proceed.

Mr. ROTENBERG. I just wanted to be sure it was on the record.

Mr. ARENS. Kindly tell this committee whether or not you are the Sol Rotenberg who signed this statement under the auspices of the Committee for Peaceful Alternatives to the Atlantic Pact. I direct your attention to page 16 of this document in which appears "Sol Rotenberg, executive director, Philadelphia council, Jewish Peoples Fraternal Order." Kindly look at that and tell this committee whether or not you are he.

Mr. ROTENBERG. Sir, you mean this document which proposed sending a statement to President Truman urging that agreement whereby the atomic bomb should not be used as an instrument of international warfare as the first step in the program of general disarmament?

Mr. ARENS. Under the auspices of the Committee for Peaceful Alternatives to the Atlantic Pact, yes, sir.

Mr. ROTENBERG. I would say, sir, there are a lot of names—

Mr. ARENS. Just please answer the question. Are you the Sol Rotenberg who was alluded to in that document?

Mr. ROTENBERG. I would say, sir, that the first amendment, which guarantees the freedom of association, and the fifth amendment, which guarantees the privilege of not giving testimony which might lead to a criminal prosecution, would induce me, sir, to refuse to answer the question.

Mr. ARENS. Now tell this committee, if you please, sir, what is, or what was, the Philadelphia Council on Equal Job Opportunities. Do you have a recollection of that organization?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that this goes to the heart of the question of freedom of association, and I would refuse to answer the question on that ground and also on the ground of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question, and I state for the record at this time that there is no scintilla of evidence that this particular organization, the Philadelphia Council on Equal Job Opportunities, is, or has been, dominated or penetrated in any way by the Communist conspiracy.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that this question, like some of the other questions, goes to the heart of the freedom of association, and I would decline to answer this question on the ground of the first amendment, which protects this right, as well as the fifth amendment, which gives a witness the privilege of refusing to answer a question which may lead in some way to a criminal prosecution.

The CHAIRMAN. Do you know Mrs. Jule T. Bouchard?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I don't remember having heard that name before, sir.

The CHAIRMAN. Her name appears as the person to contact with respect to this Committee for Peaceful Alternatives to the Atlantic Pact. You say you have never heard of her?

Mr. ROTENBERG. I don't remember, sir, ever having heard that name.

Mr. ARENS. Did you ever associate with the Philadelphia Council on Equal Job Opportunities?

Mr. ROTENBERG. I would have to give the same answer as before with respect to that organization.

Mr. ARENS. Do you know the Philadelphia Jewish Community Relations Council?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I think, sir, this question continues to go to the matter of freedom of association which is guaranteed and protected under the first amendment and the fifth amendment, which guarantees the right to refuse to answer a question which may lead to a criminal prosecution.

Mr. ARENS. Did you ever associate with the Philadelphia Jewish Community Relations Council?

Mr. ROTENBERG. The same answer for the same reason.

Mr. ARENS. And I say for the record, Mr. Chairman, we have no scintilla of evidence that the Philadelphia Jewish Community Relations Council has been penetrated, or controlled in anyway, by the Communist conspiracy. These questions were the background for asking this next principal question.

In January of 1950, did you write a letter to the editor of the Jewish Times, in which you attacked the Philadelphia Council on Equal Job Opportunities and the Philadelphia Jewish Community Relations Council?

Mr. LEVITAN. Do you have that letter?

Mr. ARENS. I am addressing the question to the witness, Counsel. Did you write such a letter?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I cannot remember such a letter.

Mr. ARENS. All right, sir, I lay before you now a photostatic copy of a document which is a reproduction from Jewish Life—April, 1950, issue—in which their appears a letter (dated January 31, 1950) which had been addressed to Jewish Life, signed by Sol Rotenberg, in which these two organizations are attacked by yourself. Kindly look at this document and tell this committee whether or not you sent that letter.

(Document marked "Exhibit No. 160a, b," see appendix, pp. 7386, 7387.)

Mr. ROTENBERG. I refuse to answer, sir, for the same reasons already given previously.

Mr. ARENS. Now I invite your attention to a document which is a photostatic reproduction of an article on page 4 of the Communist Daily Worker of June 10, 1949, relating to a street demonstration in support of the 12 Communist leaders then on trial in New York City. According to this article, at this street demonstration one of the leaders and participants was Sol Rotenberg, identified as executive secretary of the Jewish People's Fraternal Order. Kindly look at that document and tell us whether or not you are he.

(Document marked "Exhibit No. 161," see appendix, p. 7388.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would give you the same answer, sir, for the same reason.

Mr. ARENS. Now I lay before you a photograph taken in Philadelphia of a number of pickets attacking the Committee on Un-American Activities, Un-Americans, Go Home. Don't Defile the Liberty Bell. I should like to ask you to look at that photograph and tell us if that is your picture right there about the middle or to the right of the photograph; is that your photograph?

(Document marked "Exhibit No. 162," see appendix, p. 7389.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, that I would refuse to answer that question based on the right under the first amendment of freedom of association and on the fifth amendment with respect to the possibility of a criminal prosecution.

Mr. ARENS. You were picket line captain of that picket of this committee when it was holding sessions in Philadelphia in 1952; is that not true?

Mr. ROTENBERG. I would decline to answer that question, sir, for the same reason.

The CHAIRMAN. I want to see what is so funny about that photograph.

Mr. ARENS. I lay before you now still another photograph and ask you if that is a true and correct photograph of yourself directing the operations of the picket line in Philadelphia.

(Document marked "Exhibit No. 163," see appendix, p. 7390.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I will decline to answer that question, sir, for the reasons already given. I feel that these questions lead directly to the freedom of association and the attempt, sir, to evolve some scheme or method which might lead to some criminal prosecution.

Mr. ARENS. Now, I lay before you still another photograph which shows you in the midst of the pickets, a little bit different pose. Kindly identify that photograph for the committee.

(Document marked "Exhibit No. 164," see appendix, p. 7391.)

Mr. ROTENBERG. I would say, sir, I would give you the same answer for the same reason.

Mr. ARENS. I lay before you still another photograph taken in the hearing room in Philadelphia during the hearings of this committee and I ask you kindly to identify that photograph of yourself and to tell this committee with whom you are conversing.

(Document marked "Exhibit No. 165," see appendix, p. 7392.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I will say, sir, this goes again to the heart of the question of the freedom of association, and I would exercise my privilege under the first and the fifth amendments in refusing to answer the question.

Mr. ARENS. In February of 1953, did you set up a conference in Philadelphia for the purpose of creating sentiment for the repeal of the Walter-McCarran Immigration Act?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I would say, sir, first of all that—you say February 1953?

Mr. ARENS. February 1953; yes, sir.

Mr. ROTENBERG. I would say, sir, that I am flatly opposed to the Walter-McCarran law, as should be obvious to the chairman and to the members of this committee, and have always been opposed to the Walter-McCarran law for the type of law it is and the damage which it does to American rights and for the hardships which it brings to many innocent people.

The CHAIRMAN. What damage does it do to innocent people?

Mr. ROTENBERG. Well, sir, I have read of many cases of people who have been adversely affected by the operation of the Walter-McCarran law with respect to their abilities to get and hold jobs, with respect to unlawful deportation orders being obtained against them, with respect to their being arrested and molested on the basis of the Walter-McCarran law by agents of the Immigration Service and other departments of the Government, which certainly does not flow from the protection of individual rights as guaranteed in our Constitution.

The CHAIRMAN. Just name me one individual who has been unjustly prosecuted under the Walter-McCarran Act. They can be deported. What you are saying is that you are opposed to the deportation of Communists. Isn't that what you are saying?

(The witness conferred with his counsel.)

Mr. LEVITAN. What was your question, sir?

The CHAIRMAN. Aren't you paying any attention?

Mr. ROTENBERG. I was waiting, sir, for you to finish.

The CHAIRMAN. I am asking you to name one single case where an innocent person has been prosecuted unjustly, as you put it.

Mr. ROTENBERG. Well, sir, there is such a case which I would like to call to your attention.

The CHAIRMAN. Give it to us.

Mr. ROTENBERG. Since it was a case which took place in Philadelphia this past year.

The CHAIRMAN. First, what is the name?

Mr. ROTENBERG. The name of the woman was Stella Petrosky.

The CHAIRMAN. How do you spell that name?

Mr. ROTENBERG. P-e-t-r-o-s-k-y.¹

Mr. SCHERER. Was she a Communist?

Mr. ROTENBERG. She was the mother of 8 children and 19 grandchildren, all citizens here. She was arrested on deportation charges, had a hearing, was ordered deported, The hearing was upheld by the Board of Immigration Appeals. One of our Federal judges in Philadelphia, Judge Van Dusen, after hearing arguments on this particular case, handed down his ruling just a few short weeks ago, sir, that the deportation order was unlawful. Those are his words. And the action of the deportation hearing officer, as well as the action of the Board of Immigration Appeals in refusing to overturn the deportation order, were "unlawful."

The CHAIRMAN. That is right. Now let me show you where you are wrong. Under the law, they have the administrative procedure that you have talked about, and failing in that, they have the writ of habeas corpus and appeal to the circuit court of appeals and appeal to the Supreme Court of the United States. So actually this woman was not deported because of the provisions of the very law that you are now criticizing.

Mr. ARENS. In view of your interest in the McCarran-Walter Act and the position which you have announced on the act, please tell this committee whether or not you set up a conference in Philadelphia in February 1953 for the purpose of engendering sentiment for the repeal of the Walter-McCarran Act?

Mr. ROTENBERG. I think, sir, the right of freedom of association, the right to petition the government to make changes in laws, is guaranteed by our Constitution, and I decline to answer that question, and also invoke the protection of the first and fifth amendments with respect to my answer.

The CHAIRMAN. In view of the fact that it is entirely within the Constitution to organize a group to protest to the Congress, to petition the Congress, to quote the Constitution, what criminal action do you feel could be instituted against you for acting within your constitutional rights?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I must decline to answer, sir, for the same reasons previously given.

Mr. ARENS. Mr. Chairman, at this point I should like to cause to be inserted in this record a letter which I have received from the resident manager of the Hotel Sylvania, Fred Lehman, dated November 6, 1956, the body of which reads as follows:

Relative to your letter requesting identity of organization who rented our ballroom for conference on February 8, 1953, we are pleased to advise (sic) that it was booked by: Mr. Sol Rotenberg, Jewish People's Fraternal Order, Room 803, Bankers Security Building, Juniper and Walnut Streets, Philadelphia 7, Pa.

Signed by the manager of the hotel.

Mr. Rotenberg, at that particular conference in February of 1953 were certain resolutions passed?

Mr. ROTENBERG. I must decline to answer, sir, because I believe that you are intruding on the freedom of association, and I would also invoke the protection of the fifth amendment with respect to

¹ Correct spelling of this name is Petrofsky.

the elicitation of any testimony which might lead possibly to a criminal prosecution.

Mr. ARENS. I invite your attention now to a document which is titled "Proposed Program of Action, Conference to Repeal Walter-McCarran Immigration Law—Sunday February 8, 1953," in which the conferees are urged to take various types of action, including the organization of delegations to visit Congressmen to obtain commitments from them to support the conference resolutions; also to obtain signatures on petitions; to get thousands of post cards sent to Congressmen; to organize delegations to go to Washington; to develop neighborhood campaigns; to set up various types of meetings. I lay that document before you now and ask you if that is a true and correct representation of the proceedings of the conference.

(Document marked "Exhibit No. 166," see appendix, p. 7393.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. I see that this program of action makes reference to a repeal bill introduced by Congressman William A. Barrett, of Philadelphia, H. R. 220.

Mr. ARENS. Yes. Just tell us whether or not that is a true and correct representation of the proceedings which took place at this conference set up by yourself.

Mr. ROTENBERG. I must decline to answer the question, sir, on the basis of the first and fifth amendments.

Mr. ARENS. Now, who is Harry Levitan?

Mr. LEVITAN. I am Harry Levitan.

Mr. ARENS. I am asking the witness.

(The witness conferred with his counsel.)

Mr. ROTENBERG. Harry Levitan is my attorney, sir.

Mr. ARENS. Did you set up a testimonial affair in honor of Attorney Harry Levitan in October 1955 at the Broadwood Hotel?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I must respectfully decline, sir, to answer that question on the grounds of the right of freedom of association—

Mr. SCHERER. It might incriminate you?

Mr. ROTENBERG. And, secondly, sir, because someone might try to elicit testimony or use such testimony in some criminal prosecution.

The CHAIRMAN. Just a moment. What crime do you think you might be charged with for setting up a testimonial dinner for your lawyer or anyone else?

Mr. ROTENBERG. I am not a legal student, sir. I must give you the same answer for the same reason.

The CHAIRMAN. In other words, you decline to answer the question?

Mr. ROTENBERG. Yes; I do.

The CHAIRMAN. All right. Who is Dwight F. Purman?

Mr. ROTENBERG. Who?

The CHAIRMAN. Dwight F. Purman.

Mr. ROTENBERG. How do you spell that last name?

The CHAIRMAN. P-u-r-m-a-n.

Mr. ROTENBERG. I never heard the name, sir.

The CHAIRMAN. He is the president of the central Pennsylvania Synod of the United Lutheran Church. Do you know him?

Mr. ROTENBERG. I never heard of him, sir.

The CHAIRMAN. Do you know Dr. Stanley R. Parnall, of the Germantown Friends School?

Mr. ROTENBERG. I may have heard of the name, sir, but I must decline to answer questions with respect to names of people, because I believe that they are in infringement on the right of association.

The CHAIRMAN. You think you might be subjected to a criminal prosecution if you admit you know the principal of the Quaker School in Philadelphia?

Mr. ROTENBERG. In the context of this hearing, sir; yes, sir.

The CHAIRMAN. Do you know Henry Scattergood, of Villanova?

Mr. ROTENBERG. I don't remember, sir, whether I know him or not.

The CHAIRMAN. Do you know Mitchell Schaffer?

Mr. ROTENBERG. The name is not familiar to me.

The CHAIRMAN. Do you know Rev. B. L. Scott, of the Lower Merion Baptist Church, at Bryn Mawr?

Mr. ROTENBERG. I may have read the name in some newspaper. The name is not too familiar to me, sir.

The CHAIRMAN. Referring back to this petition you signed under the auspices of the Committee for Peaceful Alternatives to the Atlantic Pact, I am just picking out other people from Pennsylvania who also signed this petition. I thought perhaps you would know some of the other signers.

Mr. ROTENBERG. In a lifetime one meets a lot of people, sir.

The CHAIRMAN. Yes, that is true—of all sorts.

Mr. ROTENBERG. That is true, sir.

The CHAIRMAN. Do you know Dr. Thomas Woody, of the University of Pennsylvania.

Mr. ROTENBERG. It is just a name, sir.

The CHAIRMAN. Do you know Mrs. Anna Yarnall?

Mr. ROTENBERG. Just a name; a Philadelphia citizen.

The CHAIRMAN. All right. Go ahead.

Mr. ARENS. In this conference which you set up for your attorney, did you procure the room or the reservation at the Broadwood Hotel on behalf of the Philadelphia Life Insurance Co.

(The witness conferred with his counsel.)

Mr. LEVITAN. Which affair was that, sir?

Mr. ARENS. The affair that he set up for you, the testimonial affair on October of 1955 at the Broadwood Hotel.

Mr. ROTENBERG. I must decline to answer the question, sir, for the same reason as already given.

Mr. ARENS. You did make arrangements at the hotel for this testimonial to Mr. Levitan, but you made them in the name of the Philadelphia Life Insurance Co., did you not?

Mr. LEVITAN. Philadelphia Life Insurance had nothing to do with it.

The CHAIRMAN. Answer the question.

(The witness conferred with his counsel.)

Mr. ROTENBERG. I must decline to answer your question, sir, for the same reasons.

The CHAIRMAN. Have you ever been employed by the Philadelphia Life Insurance Co.?

Mr. ROTENBERG. I am an agent, sir, of many companies, and that is one of the companies.

Mr. ARENS. Did your company, the Philadelphia Life Insurance Co., know that you made a reservation for this meeting at the hotel using the name of the Philadelphia Life Insurance Co. so you could get the hotel reservations?

Mr. SCHERER. For a Communist meeting.

Mr. LEVITAN. That was not a Communist meeting, sir.

The CHAIRMAN. You will have an opportunity to testify yourself.

Mr. LEVITAN. Yes, I hope so.

Mr. SCHERER. How many Communists attended that meeting?

Mr. ROTENBERG. I must refuse, sir, to answer your question for the same reason.

The CHAIRMAN. How many non-Communists?

Mr. ROTENBERG. I must refuse for the same reason, sir.

The CHAIRMAN. Go ahead.

Mr. ARENS. Now, Mr. Witness, I read you, the first paragraph of a letter which I received, dated November 8, 1956, from William Adler, of the Broadwood Hotel in Philadelphia addressed to myself.

On October 28, 1955, a testimonial affair in honor of Attorney A. Harry Levitan was held at the Broadwood Hotel. The affair was contracted by Mr. Sol Rotenberg representing the Philadelphia Life Insurance Co. at 115 North Broad Street, Philadelphia.

Is that a true recitation of the facts?

(Documents marked "Exhibit No. 167a, b," see appendix, pp. 7394, 7395.)

(The witness conferred with his counsel.)

Mr. ROTENBERG. The Philadelphia Life Insurance Co., sir, had nothing whatever to do with the Broadwood Hotel so far as I know.

Mr. ARENS. Then why did you use the name of the Philadelphia Life Insurance Co. in making the reservations for this affair?

(The witness conferred with his counsel.)

Mr. ROTENBERG. I must decline to answer your question, sir, for the reasons previously given.

Mr. ARENS. Was it because you didn't want the Philadelphia Life Insurance Co. to know that you, a Communist, were setting up a testimonial dinner for somebody?

(The witness conferred with his counsel.)

Mr. ROTENBERG. You are assuming, sir, from your question that I am a Communist.

Mr. ARENS. Are you a Communist?

Mr. ROTENBERG. I must, sir, remind you that the right of association is protected by the first amendment to the Constitution and that the fifth amendment also prevents the elicitation of testimony which might possibly lead to a criminal prosecution.

Mr. ARENS. In December of 1955, last year, just a little bit before Christmas, about a year ago, there was a national conference of the American Committee for Protection of Foreign Born held in Detroit, Michigan. Did you attend this conference?

Mr. ROTENBERG. I guess it isn't safe for anyone to be against the Walter-McCarran law these days. I must decline, sir, to answer these questions which have to do with the association which is guaranteed in the first amendment and on the grounds of the fifth amendment that these questions may lead to some testimony which could be a link in some criminal prosecution.

Mr. ARENS. You were chairman of the nominating committee up there in Detroit last year of this conference called for the purpose of creating sentiment to destroy the immigration laws; isn't that correct?

Mr. ROTENBERG. Well, I think any conference that was called to make some changes in immigration laws would be a worthwhile thing.

sir, but I must decline to answer your question with respect to my participation in any such conference for the reasons already given.

Mr. ARENS. Now I lay before you, if you please, sir, a document which indicates the nature of the conference, the 23d Annual Conference of the American Committee for Protection of Foreign Born, held in Detroit, Mich., which sets forth the purpose of the conference, and we have an investigator's report on the meeting indicating that you were chairman of the nominating committee for the officers of the conference. Will you tell this committee whether or not you were in attendance at the conference in Detroit and whether or not you were chairman of the nominating committee?

(See exhibit VII, appendix, pp. 8406-8439.)

(The witness conferred with his counsel.)

Mr. ARENS. That was the committee to nominate the officers of the American Committee for Protection of Foreign Born?

(The witness conferred with his counsel.)

Mr. ROTENBERG. Is that what it says in the investigator's report, sir?

Mr. ARENS. Would you deny while you are under oath that you were in attendance at that conference in Detroit and that you were chairman of the nominating committee?

Mr. ROTENBERG. Would you care to show me the investigator's report?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he was chairman of the nominating committee of the Committee for Protection of Foreign Born, held in December last year.

The CHAIRMAN. You are directed to answer that question.

Mr. ROTENBERG. Mr. Walter, I must respectfully decline to answer that question because it goes to the heart of the question of freedom of association and I would invoke the privilege of the fifth amendment as well as the first, because of the possibility that my answers might be used in some way and might result in a criminal prosecution.

This, sir, does not mean that I am in favor of the Walter-McCarran law.

The CHAIRMAN. Just a minute. In that connection, you came to my office one time——

Mr. ROTENBERG. Yes, I did, sir.

The CHAIRMAN. And I asked you to write me a letter in which you would state specific points that were wrong with the law. I have been waiting for 2 years to get the letter. Is it because you can't tell what is wrong with it without admitting that the only thing you are opposed to is the section that makes it easier to deport Communists and more difficult for Communists to come into the United States? That is your opposition to the law, isn't it?

Mr. ROTENBERG. No, it isn't, sir. I would be happy to go into great detail with you with respect to the law.

The CHAIRMAN. No, I asked you a long while ago to write me a letter, and you never have written the letter.

Mr. ROTENBERG. There have been hundreds of documents written——

The CHAIRMAN. No, no.

Mr. ROTENBERG. With respect——

The CHAIRMAN. No. At this conference in my office you brought some well-meaning people who, I am sure, didn't know anything about

you or your background or what you were or are. You brought these people to my office. I told you to sit down and write me a letter telling me what was wrong and I would submit it to the committee which unanimously reported this bill. I haven't gotten this bill of complaint as yet.

Proceed, Mr. Arens.

Mr. ARENS. Now, your interest in legislation goes far beyond the Walter-McCarran Act, does it not, Mr. Rotenberg?

Mr. ROTENBERG. Just a moment.

The CHAIRMAN. This is a question, and go ahead.

Mr. LEVITAN. Your question or Mr. Arens' question?

Mr. ARENS. Your interest in legislation is in regard to legislation in addition to the Walter-McCarran Act, is it not?

Mr. ROTENBERG. I am not sure as to what you mean, sir. I am interested in all kinds of legislation that is pending or is passed before our Houses of Congress.

Mr. ARENS. Are you registered under the Lobbying Act?

Mr. ROTENBERG. I have a citizen's interest in legislation, sir.

Mr. ARENS. Answer the question, please; are you registered under the Lobbying Act?

Mr. ROTENBERG. No.

Mr. ARENS. Did you participate in the organization of a conference at the Adelphia Hotel in 1954, a Peoples Conference Against McCarthyite Legislation, and for Civil Rights?

Mr. ROTENBERG. I think, sir, this goes again to the question of freedom association, and I must decline to answer this question on the basis of the first and fifth amendments.

Mr. ARENS. When you visited the distinguished chairman of this committee, in his office, did you make known to him whether or not you were a member of the Communist conspiracy?

Mr. ROTENBERG. Mr. Walter did not ask me anything at all about my politics, sir.

The CHAIRMAN. I knew all about it before you came, of course.

Mr. ROTENBERG. I also was familiar, sir.

Mr. SCHERER. I have one question, at this point. Did you make known to the people whom you brought to Congressman Walter's office, the fact that you were a Communist and engaged in Communist Party work?

Mr. ROTENBERG. I, sir, have not told you whether I am a Communist or I am not a Communist, and I engaged in the visit to Mr. Walter's office with people for the specific purpose of discussing with Mr. Walter some of the provisions of the Walter-McCarran law.

Mr. SCHERER. You haven't answered my question. Did you or did you not disclose to the people whom you brought to Congressman Walter's office whether or not you were a Communist?

Mr. ROTENBERG. I must, sir, use the privilege of the first amendment which guarantees the freedom of association, and the fifth amendment with respect to freedom from criminal prosecution in declining to answer your question.

Mr. SCHERER. Of course you didn't because I suppose 90 percent of them wouldn't have come if they had known that you were a member of the Communist Party and engaged in Communist Party work when you brought them to Congressman Walter's office.

Mr. ROTENBERG. That is your opinion, sir.

Mr. SCHERER. Is my opinion wrong?

Mr. ROTENBERG. Your opinion, sir, is merely your opinion.

Mr. SCHERER. I am asking you——

Mr. ROTENBERG. I have my own opinions with regard to the Walter-McCarran law, and I have so stated in my conference with Mr. Walter.

Mr. SCHERER. Now you answer my question. What I said just then, is that wrong?

Mr. ROTENBERG. That is merely your opinion, sir.

Mr. SCHERER. Is my opinion wrong?

Mr. ROTENBERG. Every man is entitled to his own opinion.

The CHAIRMAN. Proceed.

Mr. ARENS. Was Alex Wright in attendance with you in that delegation that came to see Mr. Walter in his office?

Mr. ROTENBERG. I must decline to answer that question, sir, on the basis of the first amendment, which guarantees the freedom of association, and the fifth amendment, which protects a witness from giving any testimony which may lead to a criminal prosecution.

Mr. ARENS. Alex Wright was with you, and I put it to you as a fact that he was, and he is and has been, a member of the Communist Party. If that is not true, you deny it while you are under oath.

(Witness conferred with his counsel.)

Mr. ROTENBERG. I regretfully must decline to answer your question, sir, because it deals with this freedom of association which I think the committee has no right to dig into. I use the fifth amendment, also, sir.

Mr. ARENS. I think the record should be clear that Mr. Alex Wright, although he was in attendance as a Communist in the session of this legislative delegation, was an undercover agent for the Federal Bureau of Investigation and has since been revealed as an undercover agent. He was posing as a conspirator in the delegation that he attended with you.

The CHAIRMAN. You did not know who came to call on me, did you?

Mr. ROTENBERG. Mr. Walter, I came to call on you to discuss the Walter-McCarran law.

The CHAIRMAN. You did not know that with this group was an agent of the FBI?

Mr. ROTENBERG. Anyone who is opposed to the Walter-McCarran law, sir, has the privilege, the same as any other citizen, to come to your office to discuss the matter.

The CHAIRMAN. If I see fit to see them, of course, but what I am saying to you is that you did not know that in this delegation there was a man who was a member of the FBI.

Mr. ARENS. How many Congressmen did you call on in the course of this visitation to Washington?

Mr. ROTENBERG. I called on all of the Philadelphia Congressmen and the Senators from the State of Pennsylvania, sir.

Mr. ARENS. How many people were in the delegation?

Mr. ROTENBERG. I don't recall the exact number.

Mr. ARENS. What is your best estimate as to the number of people? Were there as many as six?

(Witness conferred with his counsel.)

Mr. ROTENBERG. I believe, I am not sure of the number, I believe it was 8 or 10, and I know that we all left our names with Mr. Walter's secretary so I am sure that he has a list of the people who were there.

Mr. ARENS. And you called on about half a dozen Congressmen; is that correct?

Mr. ROTENBERG. I said I did, sir. It was the six from Philadelphia and Mr. Walter and the Pennsylvania Senators. I might say, sir, that I found that many of the Congressmen I called upon were also opposed to many features of the Walter-McCarran law.

The CHAIRMAN. What did any of them ever do about it?

Mr. ROTENBERG. Well, Congressman Barrett introduced a bill for repeal, and Congressman Hugh Scott, who is my Congressman, told me that he had been trying to get some discussion in the Subcommittee on Immigration of the House Judiciary Committee of which you are the chairman, sir, and he said he had been unsuccessful in getting any bills for repeal or revision out of your subcommittee.

Mr. ARENS. Who paid the expenses of the delegation who came to Washington?

Mr. ROTENBERG. I paid my own expenses, sir.

Mr. ARENS. Who designated you as spokesman for the group?

Mr. ROTENBERG. I don't recall anyone designating me as spokesman, sir. I took the privilege upon myself to speak to the Congressman because these things were on my mind.

Mr. ARENS. Of the delegation, how many people in the delegation were not members of the Communist conspiracy?

Mr. ROTENBERG. I have no information, sir, which could lead me in any direction to give you an answer. I just don't know anything about their politics, their associations, or their beliefs, and I believe this type of questioning, sir, which is directed by the committee here, would perhaps have a more beneficial effect if hearings were held in the Judiciary Committee on the Walter-McCarran law itself.

Mr. ARENS. Did you make representation to any of the Congressmen whom you visited respecting the organization that you represented?

Mr. ROTENBERG. I don't recall, sir, but I would say this goes to the freedom of association and I would decline to answer that question on the first and fifth amendments.

Mr. ARENS. Now, I lay before you an original document with reference to a Peoples Conference against McCarthyite legislation and for civil rights, in which a number of pieces of legislation are attacked—the Smith Act, the Internal Security Act, and the Immigration and Nationality Act. It is a conference set up for Saturday, June 19, 1954, and I ask you whether or not you were one of the sponsors and arrangers for that conference?

(Document marked "Exhibit No. 168 a-d," see appendix, pp. 7396-7399.)

Mr. ROTENBERG. There was a lot of confusion.

Mr. ARENS. There was no confusion in the mind of Mr. Thomas when he identified you as a member of the Communist Party.

Mr. ROTENBERG. I don't know what was in his mind.

Mr. ARENS. Was he lying or was he telling the truth?

Mr. ROTENBERG. I must exercise the privilege of the first and fifth amendments since I believe your question—

The CHAIRMAN. Do you know Mr. Thomas?

Mr. ROTENBERG. I would love to answer your question, but I must give you the same answer, sir, for the same reasons.

Mr. ARENS. Now, just tell us whether or not you are one of the organizers of this conference against the Internal Security Act, the Smith Act, and the Walter-McCarran Act, and other anti-Communist legislation on the books?

Mr. ROTENBERG. Well, this all says repeal of the McCarran-Walter Immigration Act, and I am certainly in agreement with that.

Mr. ARENS. Tell us whether or not you organized that? We understand you are in agreement on that.

Mr. ROTENBERG. I must decline to answer your question, sir, because it goes to the heart of the question of freedom of association which I think is beyond the purview of your committee, and I would also invoke the fifth amendment since such questions may lead in some way to a criminal prosecution.

The CHAIRMAN. What was that question? Read the question back. (The reporter read from his notes as requested.)

The CHAIRMAN. Now, there is no prohibition against citizens organizing in order to take action against legislation. What criminal prosecution do you think could be instituted against you for organizing a group whose purpose it was to endeavor to prevail upon the Congress to alter, amend, or repeal certain legislation?

Mr. ROTENBERG. Well, sir, I am not sure what criminal possibilities might flow from this, and I would certainly hope to hold myself free to come talk to you again about the Walter-McCarran law, should the opportunity avail itself, and preferably at some committee hearing which would be set up to hear testimony on bills to repeal and revise the Walter-McCarran law.

The CHAIRMAN. We are talking about this meeting that you organized in Detroit.

Mr. ROTENBERG. I must decline, sir, to answer your question because it goes to the heart of the question of freedom of association, and I must invoke the first and fifth amendments.

The CHAIRMAN. I direct you to answer the question.

Mr. ROTENBERG. I have already answered, sir, that on the basis of the first and fifth amendments I cannot answer your question.

The CHAIRMAN. Will you proceed?

Mr. ARENS. I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. SCHIERER. Are you related to Don Rothenberg, of Cleveland?

Mr. ROTENBERG. Not to my knowledge, sir.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (Brief recess.)

The CHAIRMAN. The committee will be in order.

Mr. ARENS. Mr. Hugo Gellert, will you please come forward?

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. GELLERT. I do.

**TESTIMONY OF HUGO GELLERT, ACCOMPANIED BY COUNSEL,
ISIDORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself, sir, by name, residence and occupation.

Mr. GELLERT. Hugo Gellert, 223 23d Street, New York City.

Mr. ARENS. Would you kindly keep your voice up, Mr. Gellert, so the committee can hear you clearly?

Mr. GELLERT. I am an artist. I am sorry my throat isn't in such good condition.

Mr. ARENS. You are appearing in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. GELLERT. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. GELLERT. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York 6, N. Y.

Mr. ARENS. Have you always been known by the name of Hugo Gellert?

Mr. GELLERT. I was born under a different name.

Mr. ARENS. Under what name were you born?

Mr. GELLERT. Hugo Greenbaum.

Mr. ARENS. And where were you born?

Mr. GELLERT. Hungary.

Mr. ARENS. In what city in Hungary?

Mr. GELLERT. Budapest.

Mr. ARENS. Mr. Gellert, in 1927 did you take a trip abroad?

Mr. GELLERT. I did.

Mr. ARENS. Where did you go?

Mr. GELLERT. I went to France and I went to Germany and I went to the Soviet Union.

Mr. ARENS. What was your purpose in going to the Soviet Union in 1927?

Mr. GELLERT. My purpose was to see what it was like.

Mr. ARENS. Who paid your expenses?

Mr. GELLERT. I did, sir.

Mr. ARENS. How much time did you spend in the Soviet Union?

Mr. GELLERT. I am not certain of time. It might have been a couple of months, or maybe 6 weeks, I am not certain, sir.

Mr. ARENS. Did you attend any classes while you were in the Soviet Union in 1927?

Mr. GELLERT. No, sir.

Mr. ARENS. Did you do any studying there?

Mr. GELLERT. I did not study.

Mr. ARENS. Then, did you take another trip in 1932?

Mr. GELLERT. I beg your pardon, may I tell you what I did do while I was there?

Mr. ARENS. Surely.

Mr. GELLERT. They were getting out a series of books on Theodore Dreiser and I made the jackets for them.

Mr. ARENS. You were an artist at that time, as you are now?

Mr. GELLERT. I have been so all of my life.

Mr. ARENS. Did you make another trip in 1932?

Mr. GELLERT. Yes, I made another trip in 1932.

Mr. ARENS. Where did you go in 1932?

Mr. GELLERT. In 1932 I first went to Leningrad and then I went to Moscow.

Mr. ARENS. What was your purpose in 1932 in going to Leningrad and to Moscow?

Mr. GELLERT. The same thing, to see what it is like, and to see what they were doing in the Soviet Union.

Mr. ARENS. Were you the guest of any group or organization in Moscow?

Mr. GELLERT. No, sir.

Mr. ARENS. Or in Leningrad?

Mr. GELLERT. I was not the guest of any group. I paid my way.

Mr. ARENS. And did you attend any schools or classes there?

Mr. GELLERT. No, sir; I only stayed for a very short time.

Mr. ARENS. Did you make still another trip in 1946?

Mr. GELLERT. No, sir, I did not.

Mr. ARENS. Did you make an application for a passport in 1946?

Mr. GELLERT. Yes, I did, but not to the Soviet Union.

Mr. ARENS. Where did you go in 1946, pursuant to the passport?

Mr. GELLERT. I went to Australia.

Mr. ARENS. And what was your purpose in going to Australia?

Mr. GELLERT. I went to my wife's folks; my wife was born there, and we visited her folks whom she hadn't seen for a good many years.

Mr. ARENS. Did you do any studying there?

Mr. GELLERT. I did some work there.

Mr. ARENS. Now, Mr. Gellert, have you ever been identified with, or been a member or an official of, the New York Committee for Protection of Foreign Born?

(Witness conferred with his counsel.)

Mr. GELLERT. I respectfully invoke the protection of the fifth amendment.

Mr. ARENS. You were at one time cochairman of the New York Committee for Protection of Foreign Born, were you not?

Mr. GELLERT. I still invoke the protection of the fifth amendment.

The CHAIRMAN. Did you say cochairman? Who was the chairman?

Mr. ARENS. There was a chairman whose name was Alex Wright.

Now, I lay before you, Mr. Gellert, a photostatic copy of a letter of the New York Committee for Protection of Foreign Born—May 19, 1955—which sets forth the officers of the New York Committee for Protection of Foreign Born, and your name is listed as cochairman. Please look at that and tell us whether that is an accurate and correct description of your status with that organization.

(See exhibit 128a, b, appendix, pp. 7320, 7321.)

Mr. GELLERT. The answer is the same as I have just given.

Mr. ARENS. Now, Mr. Gellert, I lay before you an open letter to the Judiciary Committee of the United States Senate and the House of Representatives signed by a number of people all asking for an end to the Walter-McCarren Immigration and Nationality Act, signed by a number of people including Dr. Hugo Gellert, New York, N. Y.

(Document marked "Exhibit No. 169a, b," see appendix, pp. 7400, 7401.)

Mr. GELLERT. Is it Doctor?

Mr. ARENS. No; it is Mister. Would you kindly look at that document and tell us whether or not you signed that petition or that open letter?

Mr. GELLERT. The answer is: I invoke the fifth amendment.

Mr. ARENS. Who solicited your signature to this document?

Mr. GELLERT. The answer is the same, sir.

Mr. ARENS. Have you ever been a member of the editorial board of the publication, the New Pioneer?

(Witness conferred with his counsel.)

Mr. GELLERT. Yes, sir.

Mr. ARENS. And how long were you on the editorial board of the New Pioneer?

Mr. GELLERT. That I cannot remember, sir.

Mr. ARENS. Was it a matter of a few months or a matter of a few years?

Mr. GELLERT. That I do not know, my memory is not very clear on that. It might have been a couple of years.

Mr. ARENS. Did you know V. J. Jerome, who was on the editorial board of the Pioneer with you?

(Witness consulted his counsel.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. V. J. Jerome was a Communist agent, was he not?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Were you the staff artist of the Communist Daily Worker?

(Witness conferred with his counsel.)

Mr. GELLERT. I contributed, sir, but I have never been a staff artist.

Mr. ARENS. When did you contribute to the Communist Daily Worker?

Mr. GELLERT. During the war.

Mr. ARENS. I lay before you now a photostatic copy of the Communist Daily Worker of December 21, 1935, (page 3) in which appears, "Introducing the Staff" of the Communist Daily Worker, and among the artists who are introduced by this publication is Hugo Gellert. Kindly look at that document and tell us whether or not you were one of the artists at that time for the Communist Daily Worker?

(Document marked "Exhibit No. 170a, b," see appendix, pp. 7402, 7403.)

(Witness conferred with his counsel.)

Mr. GELLERT. I am sorry, sir, there seems to be about 20 or 27 very well known artists listed and my name was among them. I am sorry that I hadn't remembered it but now I am reminded that I gave consent to it.

Mr. ARENS. Now, did you join in a statement with others who supported the Soviet trial verdict during the course of the famous Moscow trial of the Trotskyites?

(Witness conferred with his counsel.)

Mr. GELLERT. I am sorry, but I submit the fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of an article appearing in the Communist Daily Worker (of April 28, 1938, p. 4), in which a number of persons are listed as signatories to a statement commending the Moscow trials of the Trotskyites. In

this list appears the name of Hugo Gellert. Please look at this and tell us whether or not you joined in this statement?

(Document marked "Exhibit No. 171," see appendix, pp. 7404, 7405.)

Mr. GELLERT. The same answer, sir.

Mr. ARENS. Have you changed your mind with reference to the Moscow trials of the Trotskyites since the desanctification of Stalin who perpetrated the trials?

Mr. GELLERT. The same answer, sir.

Mr. ARENS. Now, I lay before you a photostatic copy of the Communist Daily Worker of November 2, 1951 (p. 8), in which appears a paid advertisement, in celebration of the Hungarian Daily Journal, listing as master of ceremonies of the celebration, Mr. Hugo Gellert. Were you the master of ceremonies on that occasion?

(Document marked "Exhibit No. 172," see appendix, p. 7406.)

(Witness conferred with his counsel.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Do you know a man by the name of John Lautner?

(Witness conferred with his counsel.)

Mr. GELLERT. I invoke the fifth amendment.

Mr. ARENS. Mr. Lautner, would you please stand? Mr. Gellert, look over your left shoulder if you please, sir. Yesterday Mr. Lautner took an oath before this committee and stated while he was under oath that he knew you as a member of the Communist Party while he, Mr. Lautner, was in the Communist Party. Was Mr. Lautner lying or was he telling the truth?

(Witness conferred with his counsel.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Now, have you ever been a sponsor of a National Committee to Win Amnesty for Smith Act Victims?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Do you know Carl Marzani?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. He was treasurer of that organization, was he not?

Mr. GELLERT. The answer is the same, sir.

Mr. ARENS. I lay before you now, please, sir, a photostatic copy of a document (p. 3 of the May 16, 1952, Daily Worker), in which you are listed as one of 49 notables who have sponsored and formed a committee, a National Committee to Win Amnesty for Smith Act Victims. Please look at that and tell us whether or not you are accurately identified in that article?

(Document marked "Exhibit No. 173," see appendix, p. 7407.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I lay before you a photostatic copy of an article appearing in the Daily People's World, a west coast Communist paper, of July 21, 1952, which is headed, "Notables protest Mrs. Yates jailing," under the provisions of the Smith Act. Included in the delegation was one Hugo Gellert identified as a noted New York artist. Kindly tell this committee whether or not you are accurately identified in that article?

(Document marked "Exhibit No. 174," see appendix, p. 7407.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I lay before you a photostatic copy of the Communist Daily People's World (p. 7 of the April 29, 1953 issue). The article to which I invite your attention is entitled, "U. S. cultural

leaders greet Chile conference," in which a number of people, including one Hugo Gellert, joined in sending greetings to the Communist leaders of a conference held in Chile. Kindly look at that article and tell us whether or not you are accurately identified in that article?

(Document marked "Exhibit No. 175," see appendix, pp. 7407, 7408.)

Mr. GELLERT. The answer is the same, please. I invoke the fifth amendment.

Mr. ARENS. Do you know Michael Gold?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Now, the Masses and Mainstream, just last year, devoted a feature article to saluting you as one of the outstanding individuals of this Nation. Isn't that correct? Do you have a recollection of that?

Mr. GELLERT. I guess so.

Mr. ARENS. Who wrote the article, do you recall?

(Witness conferred with his counsel.)

Mr. GELLERT. May I see that?

Mr. ARENS. I lay before you now, sir, a document which is a salute to Hugo Gellert, appearing in the Communist publication, Masses and Mainstream (January 1955 issue, pp. 27-31), and the article is written by Michael Gold. Is that the article to which you were alluding a moment ago when you said you were aware that Masses and Mainstream had this feature article about you?

(Document marked "Exhibit No. 176a-e," see appendix, pp. 7409-7413.)

(Witness conferred with his counsel.)

Mr. GELLERT. Yes; this is the article.

Mr. ARENS. Did Michael Gold interview you in preparation of this article?

Mr. GELLERT. I use the fifth amendment, please.

Mr. ARENS. Now, I want to invite your attention to an article on page 3 of the Communist Daily Worker of March 13, 1953. I would like to read it to you:

STALIN LIVES IN THE HEARTS OF ALL MEN OF GOOD WILL

Hugo Gellert, widely known artist, yesterday paid tribute to Stalin in these words: "Stalin, teacher and leader of his people, the laboring masses * * *.

"In the land of the workers, where no man may exploit his fellow men, the unfettered creative energies of the people, their colossal achievements for which there is no precedent in history, made him the greatest among the great of our time.

"His name is a legend. Stalin lives in the hearts of all men of good will."

Look at that article now and tell us whether or not that accurately quotes you in your sentiments respecting Mr. Stalin?

Mr. GELLERT. I respectfully invoke the fifth amendment.

Mr. ARENS. Did you in 1953 maintain the position that Stalin was such a blessing to all mankind and he lives in the hearts of all men?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Have you, by the way, changed your opinion of Stalin or your position with reference to the magnitude of his greatness in the last several months?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I invite your attention to a cover drawing reproduced in the Worker of April 12, 1953 (p. 3). According to the Worker you are the author of this drawing. And I wish to invite your

attention to the caption, "Bring our boys home from Korea." Did you author that cartoon or that drawing?

(Document marked "Exhibit No. 177," see appendix, p. 7414.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Have you been preparing any drawings recently or any placards addressed to the Soviet Union asking them to bring their boys home from Hungary?

(Witness conferred with his counsel.)

Mr. GELLERT. No, sir.

Mr. ARENS. Now, tell us about your teaching career, Mr. Gellert. Have you been an instructor in the Jefferson School of Social Science?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. I lay before you now a photostatic copy of an article appearing on page 7 of the Daily Worker of September 29, 1953, entitled "Gellert Teaches Political Cartooning," in which the body of the article states that you have been teaching political cartooning in the Jefferson School of Social Science in New York. Please look at that article and tell us whether or not it is a true and accurate representation of your activities in the Jefferson School of Social Science?

(Document marked "Exhibit No. 178," see appendix, p. 7415.)

Mr. GELLERT. The same answer, sir.

Mr. ARENS. What have you done with reference to clemency for the Rosenbergs in the last year or two?

Mr. GELLERT. I invoke the fifth amendment.

Mr. ARENS. I lay before you now a document (a photostatic copy of p. 6 of the Worker, Sunday, June 14, 1953) showing a drawing of the Rosenbergs in jail, entitled "A New Drawing by Hugo Gellert." Please look at that and tell us whether or not you authored or drew that sketch of the Rosenbergs in jail?

(Document marked "Exhibit No. 179," see appendix, p. 7416.)

Mr. GELLERT. The same answer, sir.

Mr. ARENS. Have you ever done any murals, any drawings, under contract with the United States Government?

(Witness conferred with his counsel.)

Mr. GELLERT. No, sir.

Mr. ARENS. Have you ever received any compensation from any Government agency, State, Federal, or otherwise?

(Witness conferred with his counsel.)

Mr. GELLERT. If you permit me, sir, during the existence of the WPA, I was to get a commission from a very important corporation in America to paint the mural for \$5,000 and the WPA requested that I let them have it and I did so, in order to raise the prestige of their projects. I was employed, I believe for 3 months, at the rate of \$22 to teach young men and women at the Roosevelt High School, as a compensation for it.

Mr. ARENS. Now, I lay before you a photostatic copy of an article from the Communist Daily Worker (p. 11, the Worker, April 26, 1953) to the effect that you worked with Robert Minor when he was editor of the Liberator, a publication known as the Liberator, and you were one of his collaborators. Kindly look at that article and tell us of a publication known as the Liberator, and you were one of his collaborators. Kindly look at that article and tell us whether or not you and Robert Minor were collaborators in this enterprise?

(Document marked "Exhibit No. 180," see appendix, p. 7417.)

Mr. GELLERT. I respectfully invoke the fifth amendment.

Mr. ARENS. Now, you have been active in undertaking to end anti-Communist legislation and what you have termed—you and your associates term—"sedition laws and inhuman legislation"; isn't that correct?

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. I invite your attention now to a photostatic copy of an article in the Communist Daily People's World (p. 7, December 5, 1955, issue) with reference to a fund-raising project by the Committee To End Sedition Laws, which mentions a Hugo Gellert. Please look at that article and tell us while you are under oath whether or not you are he?

(Document marked "Exhibit No. 181," see appendix, p. 7418.)

Mr. GELLERT. The fifth amendment, sir.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(Witness conferred with his counsel.)

Mr. GELLERT. I invoke the fifth amendment, sir.

Mr. ARENS. Mr. Chairman, we have no further questions of this witness.

The CHAIRMAN. The witness is excused.

(Witness excused.)

The CHAIRMAN. Call your next witness.

Mr. ARENS. Constantine Ossip, please.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OSSIP. I do.

TESTIMONY OF CONSTANTINE OSSIP, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. OSSIP. Constantine Ossip, 81 Orchard Street, New York City.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities.

Mr. OSSIP. I cannot understand.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you?

Mr. OSSIP. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York 6, N. Y.

Mr. ARENS. Where were you when the subpoena was actually served upon you?

Mr. OSSIP. At my work.

Mr. ARENS. Where?

Mr. OSSIP. 130 East 16th Street.

Mr. ARENS. And what is the establishment? What is there?

(Witness conferred with his counsel.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Why?

(Witness conferred with his counsel.)

Mr. OSSIP. Because it may tend to incriminate me.

Mr. ARENS. Is that a newspaper?

Mr. OSSIP. The fifth amendment.

Mr. ARENS. That is the Russky Golos, a Communist newspaper, is it not?

Mr. OSSIP. Not that I know of.

The CHAIRMAN. What is the name of the paper?

Mr. ARENS. He says not that he knows. Is the Russky Golos newspaper headquartered at 130 East 16th Street in New York?

Mr. OSSIP. I use the fifth amendment.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question for this reason: He has just stated that he didn't think that the Russky Golos was a Communist newspaper, and he has just told us that the subpoena was served upon him at the place which is the headquarters of the Russky Golos newspaper, and, therefore, I respectfully request that he be ordered and directed to answer.

Mr. MOULDER (presiding). The witness is so directed.

Mr. OSSIP. Yes.

Mr. ARENS. Would you kindly keep your voice up, Mr. Ossip?

Mr. OSSIP. Yes, sir.

Mr. ARENS. Where and when were you born?

Mr. OSSIP. In January 1, 1909, in the Ukraine, U. S. S. R.

Mr. ARENS. And when did you arrive in the United States?

Mr. OSSIP. January 2, 1929.

Mr. ARENS. Are you a citizen of the United States?

Mr. OSSIP. By my father, by my father's citizen paper.

Mr. ARENS. Your father was naturalized when?

Mr. OSSIP. In November 14, 1927.

Mr. ARENS. And you didn't arrive in the country until 1929; is that correct?

Mr. OSSIP. That is right.

Mr. ARENS. Give us just a word, if you please, now, Mr. Ossip, about your employment since you arrived in the United States. What was your first principal employment?

Mr. OSSIP. First I was working as a pipe cutter, cutting pipes, in an iron company, and I don't remember the number, on the north side of New York City, an iron shop.

Mr. ARENS. What was your next principal employment?

Mr. OSSIP. National Biscuit Co., in New York City.

Mr. ARENS. And your next principal employment?

Mr. OSSIP. Next I went to automobile school on Second Avenue, New York City, and I took the course of a mechanic and driver, and then after that I was working in a garage, 23 Broome Street, for Sam Greenberg, New York City.

Mr. ARENS. And your next employment?

Mr. OSSIP. My next employment, I think, I worked for my father as a truckdriver.

Mr. ARENS. And your next employment?

Mr. OSSIP. I don't remember what was next.

Mr. ARENS. Well, somewhere along that line, in that time, did you work for the International Workers Order?

Mr. OSSIP. I decline to answer on the fifth amendment.

Mr. ARENS. Did you work about that time for the American Russian Fraternal Society?

Mr. OSSIP. I decline to answer on the protection of the fifth amendment.

Mr. ARENS. You at one time, as a matter of fact, were national secretary of the American Russian Fraternal Society, were you not?

Mr. OSSIP. I decline to answer under the fifth amendment.

Mr. ARENS. Now, Mr. Ossip, I want to invite your attention to certain documents. The first document is an article from the Communist Daily Worker of March 1954—page 5 of March 3, 1954, issue—entitled “248 Delegates Organize Fight To Repeal Walter-McCarran Act,” and it is a conference in which a person by the name of Constantin Ossip is identified here as treasurer of a newly formed organization, the New York Committee for Protection of Foreign Born. Kindly look at this exhibit, please, sir, and tell this committee whether or not you are accurately described in this exhibit as treasurer of this New York Committee for Protection of Foreign Born.

(Document marked “Exhibit No. 182,” see appendix, p. 7419.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. MOULDER. Were you treasurer of such an organization referred to in the document mentioned by counsel?

Mr. OSSIP. I like to invoke the fifth amendment, sir.

Mr. ARENS. Now, you were treasurer of the New York Committee for Protection of Foreign Born; were you not?

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Kindly keep your voice up.

Mr. OSSIP. Fifth amendment.

Mr. ARENS. I lay before you now a reproduction of the Lamp, the official publication of the New York Committee for Protection of Foreign Born, under date of 1954, the March-April edition. In the article appearing in the upper right-hand corner are the lists of the officers of this organization, including Constantin Ossip, treasurer. Please tell this committee whether or not you are accurately identified there?

(See exhibit No. 112, appendix, p. 7294.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. How long have you known your counsel?

Mr. OSSIP. Not that I remember.

Mr. ARENS. I beg your pardon?

Mr. OSSIP. I don't know, sir.

Mr. ARENS. How long have you known him? Did you know him 2 weeks ago?

(Witness conferred with his counsel.)

Mr. OSSIP. About 2 weeks ago, sir.

Mr. ARENS. Who introduced you to him?

(Witness conferred with his counsel.)

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. SCHERER. What was the answer?

Mr. OSSIP. I invoke the fifth amendment.

Mr. SCHERER. Can you speak a little louder, witness? Would you push that microphone closer to you, please?

Mr. ARENS. Do you know Mr. Gellert, the witness who just preceded you to the witness stand?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Was your counsel arranged for you by a person known by you to be a member of the Communist conspiracy?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Do you have a contractual arrangement with your counsel for paying him for his services?

(Witness conferred with his counsel.)

Mr. OSSIP. Yes.

Mr. ARENS. Now, I lay before you a reproduction of a letter concerning a New York Conference To Defend the Rights of Foreign Born Americans, to be held March 19, 1955, under the auspices of the New York Committee for Protection of Foreign Born, in which the treasurer of that organization is Constantin Ossip. Please tell this committee whether or not you are accurately identified there as treasurer of that organization?

(See exhibit No. 113, appendix, p. 7295.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Have you ever been a member of local 3065 of the International Workers Order?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. I want to invite your attention now, Mr. Ossip, to a stool-pigeon publication. People have been telling us the last few days that anyone who identifies a person as a Communist is a stool-pigeon. Therefore, I would suggest this might be called a stool-pigeon publication. It is a publication of the Communist Party. The publication of the Communist Party is entitled "Two Decades of the Communist Party, New York State, USA."

There are congratulations, on the Communist Party's 20th anniversary. Please look at this publication, and tell us whether or not you are accurately identified by the Communist Party's publication as one of the Comrades?

(Document marked "Exhibit No. 183a, b," see appendix, pp. 7420, 7421.)

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I lay before you a document, which is a publication entitled, "The New Order,"—April, 1938, Convention Issue—and it is an organ of the International Workers Order according to its masthead here, listing a number of delegates to a convention of the International Workers Order, including one Constantin Ossip. Please look at this document, sir, and tell us whether or not you are accurately identified there as one of the delegates?

(Document marked "Exhibit No. 184a-c," see appendix, pp. 7422-7424.)

(Witness conferred with counsel.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Tell us what you have done in the course of the last few years to assert your position on matters of national legislation, civil rights legislation, immigration legislation, or legislation of any kind?

(Witness conferred with his counsel.)

Mr. ARENS. It is a perfectly legitimate activity for any person to assert his views on legislation, but just tell this committee what you have done in the course of the last few years to assert your views on immigration matters.

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Did you attend or were you a leader in a National Conference to Defend the Rights of the Foreign Born held in New York City in December of 1954?

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. I lay before you now, the summary of the proceedings of the National Conference To Defend the Rights of the Foreign Born, in New York City, December 1954, in which a number of people are listed as leaders of nationality groups who made reports including one "K. Ossip," from the Russian group. Kindly look at this document, and I invite your attention particularly where my finger is pointing, and tell this committee whether or not you are accurately described in that document as a participant and leader in the conference?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Are you now or have you ever been a member of the Russian section of the Communist Party?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I lay before you a document, a publication of the American Slav Congress, a rally to win the peace, 1946, in which your name appears as a leader of the Russian section of the American Slav Congress. Kindly look at this document and tell this committee whether or not you are accurately described in that document?

(See exhibit No. 68, appendix, p. 7213.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Have you ever been at Foley Square, New York City?

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. I suggest the witness be ordered and directed to answer the question.

Mr. MOULDER. The witness is directed to answer the question.

(Witness conferred with his counsel.)

Mr. OSSIP. I think I was there once.

Mr. ARENS. What was the occasion for you being there?

Mr. OSSIP. I like to invoke the fifth amendment, sir.

Mr. ARENS. You were there as a picket, were you not, at Foley Square, on behalf of the Communist traitors who were convicted; isn't that correct?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Are you a veteran of the war?

Mr. OSSIP. Yes, sir.

Mr. ARENS. Where did you serve?

Mr. OSSIP. I served in the United States Army.

Mr. ARENS. Where and what physical location?

Mr. OSSIP. The physical location, I had my training in Camp Wheeler, basic training, and then I was assigned to the 79th Chemical Company, smokescreen generator, and I went with the 79th to England, and in England I was assigned to the 23d Battalion Headquarters, and I was in Normandy.

Mr. ARENS. Do you still have your United States Army uniform?

Mr. OSSIP. I think so.

Mr. ARENS. Did you use your United States Army uniform in a picket in August 1949, before Judge Medina's court in Foley Square?

Mr. OSSIP. I don't remember, sir.

Mr. ARENS. Do you remember being in a picket line before Judge Medina's court in New York City, in 1949?

Mr. OSSIP. I don't remember, sir.

Mr. ARENS. All right, sir, I lay before you now a photostatic copy of an article appearing in the Communist Daily Worker, of August 1949, August 10 (p. 3):

Members of the International Workers Order who are veterans will join a veterans picket line. * * *

Veterans were urged to wear their decorations and overseas caps.

Kindly look at that article and see if that refreshes your recollection?

(See exhibit No. 90, appendix, p. 7255.)

(Witness conferred with his counsel.)

Mr. OSSIP. I still don't remember if I was there, sir.

Mr. ARENS. You don't remember whether or not this is an accurate account of the situation?

Mr. OSSIP. I don't recall.

Mr. NEEDLEMAN. You asked him whether he was there.

Mr. ARENS. You don't remember whether you participated?

Mr. OSSIP. I don't recall.

Mr. SCHERER. Witness, were you a member of the Communist Party at the time that you were in the armed services of the United States?

Mr. OSSIP. I would like to invoke the fifth amendment, sir.

Mr. ARENS. I invite your attention to a document which is a call to a United Labor and Peoples conference for May Day 1949, in which you are listed as a sponsor—New York secretary, American-Russian Fraternal Society, IWO. Please tell this committee whether or not you are accurately described there and whether or not you did so participate.

(Document marked "Exhibit No. 185a-c," see appendix, pp. 7425-7427.)

Mr. OSSIP. I invoke the fifth amendment.

Mr. ARENS. Did you participate in the May Day celebration in 1949?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Now, I invite your attention to a document, which is a call to the United Labor and Peoples Conference for May Day 1951, in which a number of people are listed as sponsors, including a C. Ossip, Russian-American Society. Kindly look at that and tell us whether or not that person is you.

(Document marked "Exhibit No. 186a-c," see appendix, pp. 7428-7430.)

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Do you know Israel Amter?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. Do you know Carl Brodsky?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. You were one of their buddies when they were running for public office, were you not, one of their supporters?

Mr. OSSIP. I invoke the fifth amendment, sir.

Mr. ARENS. I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. MOULDER. The witness will be excused.

Mr. ARENS. Mr. Lautner, would you kindly come forward?

TESTIMONY OF JOHN LAUTNER—Resumed

Mr. ARENS. Mr. Lautner, you have been sworn on this record in the course of the last day or so; is that correct?

Mr. LAUTNER. That is correct.

Mr. ARENS. You indicated to me informally this morning that you wanted to give additional information for this record in response to the series of questions posed to you yesterday by Representative Scherer; is that correct?

Mr. LAUTNER. That is correct.

Mr. ARENS. I respectfully suggest that you just proceed.

Mr. LAUTNER. To my understanding yesterday, the question was posed whether there is any qualitative change in the Communist Party in this country, and I gave answers to that. I would like to document further, my answer to strengthen that answer.

I have before me a magazine, an official Soviet publication called International Affairs. This publication came into being after the dissolution of the Communist Information Bureau with headquarters in Bucharest, and the dissolution of its official organ called For a Lasting Peace, for a People's Democracy.

This official publication, International Affairs, is a Soviet journal published monthly in Russian and English. It states that its aim is to promote knowledge and understanding of international problems. It discusses the foreign policies of the Soviet Union and other countries, current events, international economic problems, and the situation in particular countries and areas.

Its contributors are experts both from the Soviet Union and other countries. This publication is distributed by the same Soviet agency that distributes New Times and other official publications of the Soviet Union, widely distributed in the Communist Party.

In the United States this publication is distributed by, among others, Imported Publications and Products, 4 West 16th Street, New York, N. Y. This particular setup was organized under the leadership of one Margaret Krumbein. Margaret Krumbein was on the National Review Commission, the discipline commission of the Communist Party, USA, at the time I was a member of that commission.

Now, in this publication there is an article headed, "For Peace, Democracy, and National Independence," and a subheading says, "Communist Parties of the Capitalist Countries in the Struggle for Unity in Action of All Patriotic Forces Against Imperialist Reaction and the Danger of a New War." That article was written by one V. Kortunov.

I would like to read just a few excerpts of how this article reflects Soviet policy and gives guidance and leadership to the other Communist Parties.

A leading role in the struggle for peace, democracy, and social progress is played by the great, almost 30-million army of Communists who in each country unite and direct into a common channel all the streams of the modern democratic movement.

The Communist Parties of the different countries are working in the most varied conditions; The Communist Party of the Soviet Union heads the struggle of the Soviet people in advancing from socialism to communism; the Communist Parties of the people's democracies are leading the popular masses in the struggle to build socialism; in the capitalist countries the Communist Parties act as the vanguard of all the patriotic forces in the fight for peace, democracy,

and socialism. But despite the variety of conditions, the international Communist movement as a whole is a single and monolithic force, united on a common basis—the immortal and constantly developing Marxist-Leninist teaching which is the guide for the Communist Parties of the world. Creative application of the great ideas of Marxism in keeping with the constantly changing conditions of social life makes the Communist movement an invincible force.

Discussing, among parties, the party of the United States, it says the following:

The Communist Party of the United States is working under exceptionally difficult conditions at the moment, being subjected to persecution and repressions. Communists are banned from government service, denied jobs in some branches of industry, barred from teaching in schools and from holding leading positions in the trade unions. Despite these hardships the American Communists are waging a courageous struggle for peace and the vital interests of the people.

This is another quotation:

After the Second World War, the international Communist movement entered into a new, higher phase; it has acquired unprecedented strength and has every possibility of achieving further success. Undoubtedly this success will be facilitated by the important decision reached by eight Communist and Workers' Parties to dissolve their Information Bureau, which has outlived itself as a form of contact between the parties. The Communist Parties will find new forms for mutual links and contact.

A final quote is this:

A feature of this new phase is the monolithic solidarity of the Communist Parties, the undivided triumph of the Marxist-Leninist ideology, and the further strengthening of the parties' ranks. The elaboration by the 20th Congress of the Communist Party of the Soviet Union of a number of vital questions of the day greatly assists the Communist Parties. Communists all over the world unanimously approved the results of the 20th Congress of the CPSU.

I wanted to read this in order to strengthen my verbal answers that there is no qualitative change in the positions of the Communist Party as long as they adhere to Marxism-Leninism as an ideology, as a basic principle. As long as they adhere loyally to these principles, they are still part of the worldwide conspiracy headed by the Soviet Union against democracy and against freedom and against the dignity and rights of the human individual as an individual.

Mr. MOULDER. I think the committee will stand in recess until 2 p. m.

(Whereupon the committee recessed at 12:30 p. m.)

AFTERNOON SESSION—WEDNESDAY, NOVEMBER 14, 1956

The hearing was resumed at 2 p. m., Hon. Francis E. Walter (chairman of the committee) presiding.

The CHAIRMAN. The committee will be in order.

Mr. ARENS. Mrs. Jeanette Stern Turner, will you please come forward?

Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TURNER. I do.

TESTIMONY OF MRS. JEANETTE STERN TURNER; ACCOMPANIED
BY COUNSEL, ISIDORE G. NEEDLEMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. TURNER. Jeanette S. Turner, and I live at 4144 48th Street, Long Island City, and I am a housewife.

Mr. ARENS. You are appearing today, Mrs. Turner, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. TURNER. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. TURNER. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. NEEDLEMAN. My name is Isidore G. Needleman, 165 Broadway, New York, N. Y.

Mr. ARENS. Mrs. Turner, how long have you known your counsel?

Mrs. TURNER. For a number of years.

Mr. ARENS. Where were you born? I will just ask you where you were born, and I will not ask a lady when she was born.

Mrs. TURNER. That is very kind of you. I was born in Chicago, Ill.

Mr. ARENS. And give us, if you please, just a brief thumbnail sketch of your education.

Mrs. TURNER. Much of my education was private, but I did go to attend the Chicago and Northwestern Universities.

Mr. ARENS. Did you graduate from Northwestern University?

Mrs. TURNER. From neither.

Mr. ARENS. When did you complete your formal education?

Mrs. TURNER. I don't know that it was ever completed.

Mr. ARENS. When did you finish your training at Northwestern?

Mrs. TURNER. I can't remember the year.

Mr. ARENS. Now, in 1934 did you make application for a passport to go abroad?

Mrs. TURNER. Yes.

Mr. ARENS. And was a passport issued pursuant to that application?

Mrs. TURNER. I believe it was, but I didn't use it.

Mr. ARENS. Where did you intend to go when you applied for your passport?

Mrs. TURNER. I don't remember. I had to take a previous trip in which I covered many countries in Europe, and I was going over the same territory.

Mr. ARENS. What countries in Europe had you visited?

Mrs. TURNER. France, Switzerland, and England.

Mr. ARENS. Did you get into any of the countries we now call Iron Curtain countries?

Mrs. TURNER. No.

Mr. ARENS. May I ask you now, did you take a trip abroad in 1945?

Mrs. TURNER. I believe that I will invoke the protection of the fifth amendment on that.

Mr. ARENS. Why?

(Witness conferred with counsel.)

Mrs. TURNER. Because it may incriminate me.

Mr. ARENS. Do you honestly feel that if you told this committee whether or not you took a trip abroad in 1945 that you would be supplying information which might be used against you in a criminal proceeding?

Mrs. TURNER. Yes.

The CHAIRMAN. Now, did you have a passport in 1935?

Mrs. TURNER. I had a passport, but I did not use it.

Mr. ARENS. I am now interrogating her about the second trip.

The CHAIRMAN. Did you have a passport in 1945?

Mrs. TURNER. I had one in 1935, but I did not use it.

The CHAIRMAN. Then you did not take a trip abroad in 1935?

Mr. ARENS. Not on the first passport. I am now interrogating her about a trip in 1945, 10 years subsequent.

The CHAIRMAN. I see.

Mr. ARENS. Now, where were you employed in 1945?

Mrs. TURNER. I have not been employed.

Mr. ARENS. What was your occupation in 1945?

Mrs. TURNER. I had no occupation except that of housewife.

Mr. ARENS. Were you ever executive secretary of the New York City Consumers' Council?

Mrs. TURNER. I wish to invoke the fifth amendment on that.

Mr. ARENS. Well, did you have an occupation at the time that you made application for your passport in 1945?

(Witness conferred with counsel.)

Mrs. TURNER. I had no occupation then.

Mr. ARENS. Did you have the title of executive secretary of the New York City Consumers Council?

Mrs. TURNER. I will invoke the fifth amendment on that.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you were executive secretary of the New York City Consumers Council in 1945, you would be supplying information which might be used against you in a criminal proceeding?

Mrs. TURNER. Yes; there may be some attempt to incriminate me.

Mr. ARENS. I lay before you now a photostatic copy of a passport application of November 1945, bearing the signature of a Jeannette Turner, and I will ask you if you would kindly look at the signature and tell us whether or not that is your signature.

Mrs. TURNER. I will invoke the protection of the fifth amendment, please.

Mr. ARENS. You understand that as a witness before this committee you are entitled to receive certain expense money and a per diem. You understand that?

Mrs. TURNER. Yes.

Mr. ARENS. In order to do so it is necessary for you to sign a voucher. I respectfully ask if you will now sign where marked "payee" on a voucher for your expenses?

Mr. NEEDLEMAN. If that will be filled in I will advise the client to sign it, and I can't advise her to sign a blank document.

Mr. ARENS. We will have it filled in, Mr. Needleman.

Now, in 1949 did you make application for a passport?

Mrs. TURNER. I will invoke the fifth amendment.

Mr. ARENS. Why?

(The witness conferred with counsel.)

Mrs. TURNER. Well, it might incriminate me, or it may incriminate me.

Mr. ARENS. Did you travel abroad in 1949?

The CHAIRMAN: What was that question?

Mr. ARENS. I asked her if she made an application for a passport in 1949.

The CHAIRMAN. And you feel that if you would answer the question as to whether or not you made an application for a passport, you might be prosecuted criminally?

Mrs. TURNER. Yes.

The CHAIRMAN. What crime could anyone possibly be charged with for making an application for a United States passport?

(Witness conferred with counsel.)

Mrs. TURNER. I decline to answer this on the fifth amendment.

The CHAIRMAN. What is that?

Mrs. TURNER. I decline to answer this on the fifth amendment.

Mr. ARENS. Did you take a trip abroad in 1949?

Mrs. TURNER. I decline to answer on the fifth amendment.

Mr. ARENS. Did you leave the United States of America in 1949?

Mrs. TURNER. I decline to answer this.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. You decline to answer the last two questions. For what reason do you decline or refuse to answer the questions?

Mrs. TURNER. It may incriminate me under the fifth amendment.

The CHAIRMAN. You honestly believe that if you admitted that you took a trip out of the United States, without stating where or for what purpose, you might be prosecuted criminally?

Mrs. TURNER. Yes.

The CHAIRMAN. What crime could you be charged with for taking a trip?

(Witness conferred with counsel.)

Mrs. TURNER. Well, I claim the protection of the fifth amendment.

Mr. ARENS. Did you, in 1949, have friends in France that you wanted to visit?

(Witness conferred with counsel.)

Mrs. TURNER. I again invoke the fifth amendment.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer.

The CHAIRMAN. You are directed to answer that question. Did you have friends in France in 1949?

Mrs. TURNER. I decline to answer this under the fifth amendment.

Mr. ARENS. Now, in 1949 you did take a trip to Europe; did you not?

Mrs. TURNER. I decline to answer this under the fifth amendment.

Mr. ARENS. Now, did you, in 1949, take a trip to Mexico?

Mrs. TURNER. I decline to answer under the fifth amendment.

Mr. ARENS. What was your occupation in 1949?

Mrs. TURNER. I had no occupation.

Mr. ARENS. What was your source of income in 1949?

Mrs. TURNER. I have a private income.

Mr. ARENS. What organization were you affiliated with in 1949?

Mrs. TURNER. I decline to answer this under the fifth amendment.

The CHAIRMAN. What organization was she connected with?

Mr. ARENS. Among others, it was the Communist Party, Mr. Chairman.

The CHAIRMAN. Just a moment. Is that a fact?

Mrs. TURNER. I decline to answer this under the fifth amendment.

The CHAIRMAN. As a matter of fact, the Communist Party paid your expenses on these trips, didn't they?

Mrs. TURNER. I beg your pardon. I explained that I have a private income.

Mr. ARENS. Now, did the Department of State in the course of the early 1950's, in 1952, request you to surrender your passport?

Mrs. TURNER. I refuse to answer, or I decline to answer under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that that is a purely legitimate question and should require an answer.

The CHAIRMAN. You are directed to answer that question.

(Witness conferred with counsel.)

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Did you send a letter to the Department of State under date of November 30, 1952, saying, in effect, that you had lost your passport?

Mrs. TURNER. I decline to answer that under the fifth amendment.

Mr. ARENS. Kindly keep your voice up, ma'am. I lay before you now a photostatic copy of a letter signed "Jeanette S. Turner," addressed to Mr. Thomas McQuillan, Post Office Building, New York, in which you state that you had lost your passport. I will ask you if you will kindly look at that document and tell us whether or not that is a true and accurate reproduction of the original.

(Document marked "Exhibit No. 187," see appendix, p. 7431.)

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Were you, in 1937, executive secretary of the Women's Committee, Civic Division, New York, of the American League Against War and Fascism?

Mrs. TURNER. I invoke the protection of the fifth amendment on that.

Mr. ARENS. Are you against fascism?

(Witness conferred with counsel.)

Mrs. TURNER. I don't wish to discuss my opinions with this committee.

Mr. ARENS. Were you against fascism in 1937?

Mrs. TURNER. Again I do not wish to discuss my opinions with this committee.

Mr. ARENS. I lay before you now, if you please, a photostatic copy of a document which is a reproduction of the Communist Daily Worker of April 19, 1937 (p. 2), protesting the bill against women representing the women's division of the American League Against War and Fascism. A number of people, including "Jeanette Stern Turner, executive secretary of the women's committee, city division, left yesterday for Washington, D. C." to confer with certain Congressmen respecting some legislation.

Please look at that exhibit and tell us whether or not you have a recollection of leaving New York City to go to Washington to confer with some Congressman on some legislation.

(Document marked "Exhibit No. 188," see appendix, p. 7432.)

Mrs. TURNER. I invoke the fifth amendment on that.

Mr. SCHERER. What was the date of that?

Mr. ARENS. 1937.

The CHAIRMAN. You invoke the fifth amendment?

Mrs. TURNER. Yes, sir.

The CHAIRMAN. What crime is there in discussing legislation with Congressmen?

(Witness conferred with counsel.)

Mrs. TURNER. I invoke the fifth amendment.)

Mr. ARENS. I invite your attention to a photostatic copy of the Daily Worker (January 21, 1941, p. 1) with reference to still another one of your activities as indicated by a photograph and an article in this Daily Worker.

Are you the Jeanette Turner who is pictured here in this issue which is captioned, "Seamen's Wives volunteer to aid work of American Peace Mobilization"? Look at that photograph and tell us whether or not that is your photograph.

(Document marked "Exhibit No. 189," see appendix, p. 7433.)

Mr. TURNER. I decline to answer under the fifth amendment.

Mr. ARENS. You were at that time working with the Fascist forces in condemning American aid, were you not?

Mrs. TURNER. I decline to answer on a similar basis.

Mr. ARENS. Now, what have you done, if you will please tell this committee, in the course of the last few years in activities with reference to the Internal Security Act, the so-called Mundt bill, when it was in the House of Representatives? Do you have a recollection of any activity in that respect?

(Witness conferred with counsel.)

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Now, as a matter of fact, in 1948 you joined, as the representative of the New York City Consumers Council, in protesting the enactment of the Mundt bill by the Congress, did you not?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Have you ever been a member of, or affiliated with, the Congress of American Women?

Mrs. TURNER. I invoke the fifth amendment also on that.

The CHAIRMAN. Just a moment. Was that the New York City Consumers Council?

Mr. ARENS. Yes.

The CHAIRMAN. Were you a member of the New York Consumers Council?

Mrs. TURNER. I will invoke the fifth amendment, please.

The CHAIRMAN. I direct you to answer that question because that is not listed as a proscribed organization.

Mrs. TURNER. I prefer to invoke the fifth amendment.

Mr. ARENS. I lay before you a photostatic copy of a document (Daily Worker article, January 6, 1938, p. 3) entitled "Women C. P. Leaders Honor Mother Bloor."

(Document marked "Exhibit No. 190," see appendix, p. 7434.)

First of all, tell us who was Mother Bloor?

Mrs. TURNER. I refuse to answer it under the first and fifth amendments.

Mr. ARENS. Now, this article indicates that a number of women Communist Party leaders honored Mother Bloor and among the prominent people who were at this celebration alluded to in this Daily Worker exhibit, is a person identified here as Jeanette Turner.

Please look at that article and tell us whether or not that prompts your recollection with reference to your participation in the celebration.

Mrs. TURNER. I invoke the protection of the fifth amendment.

Mr. ARENS. Now, ma'am, in order that you may be paid by this committee for your per diem and for your travel expenses, we filled out the expense voucher. Kindly sign that right there where it says "Payee."

(The witness signed the document.)

Mr. ARENS. I respectfully suggest that after this voucher has been processed that that part of it bearing the signature of this witness be incorporated in this record so that there may be a comparison of signatures to other documents.

(Document marked "Exhibit No. 191," see appendix, p. 7435.)

The CHAIRMAN. All right.

Mr. ARENS. Now, I lay before you a document, "A Call to an Action Conference for Freedom", warning against proposed legislation of the House Committee on Un-American Activities titled "Subversive Activity Control Act of 1948."

A number of people, according to this pamphlet, are going to get together and fight and they are going to solicit their Congressmen and people all over the country to oppose this legislation.

Kindly look at this document on which your name appears as one of the driving forces and tell us whether or not you have a recollection of that participation.

(Document marked "Exhibit No. 192a-c," see appendix, pp. 7436-7438.)

Mrs. TURNER. I invoke the protection of the fifth amendment.

Mr. ARENS. Now, I have here before me a photostatic copy of a letterhead (dated February 25, 1949) of the Congress of American Women, affiliated with the Women's International Democratic Federation, also a consultant to the United Nations.

One of the vice presidents of this organization, according to this letterhead is a Jeanette Stern Turner. Please look at this letterhead which I shall now lay before you calling for direct negotiations with Premier Stalin and tell us whether or not you are the Jeanette Stern Turner identified on this letterhead as a vice president of this organization that is a consultant to the United Nations and is affiliated with the Women's International Democratic Federation.

(Document marked "Exhibit No. 193," see appendix, p. 7439.)

(Witness conferred with counsel.)

Mrs. TURNER. I invoke the protection of the fifth amendment.

Mr. ARENS. You are certainly not ashamed of anything you may have done for the legitimate interests of peace, are you, ma'am?

Mrs. TURNER. I certainly am not ashamed of anything I have done, but it is a matter of legal protection.

Mr. ARENS. Do you honestly fear, and I ask you this question in all sincerity for the purpose of clarification of this record, that if you told this committee now while you are under oath whether or not you

have been vice president of the Congress of American Women you would be supplying information which might be used against you in a criminal proceeding?

Mrs. TURNER. Yes.

Mr. ARENS. According to the Communist Daily Worker of February 28, 1949 (pp. 1 and 9), there was formed a Committee for Free Political Advocacy, apparently which would be a very laudable objective. Were you affiliated with this organization?

(Witness conferred with counsel.)

Mrs. TURNER. I don't remember it at all.

Mr. ARENS. I lay before you now a photostatic copy of the Daily Worker of February 28, 1949, in which you, as a representative of the New York Consumers Committee, are identified in connection with that organization and see if that refreshes your recollection.

(Document marked "Exhibit No. 194," see appendix, pp. 7440, 7441.)

(Witness conferred with counsel.)

Mrs. TURNER. No, it does not refresh my recollection at all.

Mr. ARENS. Now, I ask you whether or not you have been active in an organization protesting the jailing of three Communist defendants in 1949 in New York City.

Mrs. TURNER. I don't remember.

Mr. ARENS. Now, according to the June 1949 issue of the Far East Spotlight, a copy of which publication I have in my hand, a publication of the Committee for a Democratic Far Eastern Policy, you are listed as a member of the executive committee of this organization.

Kindly look at this document which I now lay before you, and tell this committee whether or not you are a member of the executive committee, or were a member of the executive committee, of the Committee for a Democratic Far Eastern Policy.

(Document marked "Exhibit No. 195a, b," see appendix, pp. 7442, 7443.)

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. You have maintained a considerable interest in the course of the last several years in the immigration laws of this country, have you not?

Mrs. TURNER. Yes.

Mr. ARENS. What has been the basis of that interest of yours in the immigration laws of this country?

(Witness conferred with counsel.)

Mrs. TURNER. As before, I repeat, I refuse to discuss my opinions with this committee.

Mr. ARENS. You just told us that you have maintained a considerable interest in the immigration laws over the course of the last few years, is that correct?

Mrs. TURNER. Yes.

Mr. ARENS. What have you done in the pursuit of that interest of yours with reference to the immigration laws?

(Witness conferred with counsel.)

Mrs. TURNER. I don't know what you mean when you say, what I have done.

Mr. ARENS. Have you joined with others in any organizations designed to affect the legislative currents on immigration?

Now, Mrs. Turner, the truth is that you have been an active sponsor of the National Women's Appeal for the Rights of Foreign Born Americans. Isn't that true?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. I lay before you now a reproduction of a letterhead of the National Women's Appeal for the Rights of Foreign Born Americans, dated February 16, 1953, which letterhead shows among the sponsors, Jeanette S. Turner.

Please look at this and tell us whether or not you are she.
(Document marked "Exhibit No. 196," see appendix, p. 7444.)

Mrs. TURNER. I invoke the fifth amendment on that.

Mr. ARENS. Now, in December of 1952 you were one of the leading participants in the National Conference to Defend the Rights of Foreign Born Americans, were you not? This was held in Detroit, Mich.

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact, that in December of 1952, in Detroit, Mich., you were one of the speakers, one of the leading officials of the National Conference to Defend the Rights of Foreign Born Americans held in Detroit, Mich., and you represented at that conference the National Women's Appeal to Defend the Rights of Foreign Born Americans.

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Did you make a speech in Detroit in 1952, in December?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. You were not quite as shy in your presentation in Detroit in 1952 as you are before this committee, were you?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Now, in the pursuit of your interest on immigration matters, I lay before you a photostatic reproduction of a letter which is addressed to the chairman of the House Committee on Veterans Affairs, Washington, D. C., March (4), 1956, signed by Jeanette S. Turner, with reference to a certain person who was having his pension discontinued because he had been found to be a Communist.

Kindly look at that letter and tell this committee whether or not that is one of your public activities and services.

(Document marked "Exhibit No. 197a, b," see appendix, pp. 7445, 7446.)

(Witness conferred with counsel.)

Mrs. TURNER. The same answer.

Mr. ARENS. Who was this man concerning whom you wrote the chairman of the House Committee on Veterans Affairs?

Mrs. TURNER. I decline under the fifth amendment.

Mr. ARENS. Robert Thompson was his name; was it not?

Mrs. TURNER. I decline to answer, fifth amendment.

Mr. ARENS. Who asked you to write this letter to the chairman of the Veterans Affairs Committee?

Mrs. TURNER. I decline to answer under the fifth amendment.

Mr. ARENS. You understand you have a perfect right to write letters to anybody, don't you?

Mrs. TURNER. You are asking an opinion, and I am not expressing opinions or discussing opinions here.

Mr. ARENS. Now I lay before you, if you please, ma'am, a document, which is a call to a Bill of Rights Conference to be held in the Henry Hudson Hotel in New York City (July 16-17, 1949) listing a number of people who are sponsors of this conference on the Bill of Rights and a very laudable phraseology, to "defend" the Bill of

Rights, including, among other persons, one who is identified here as Jeanette Stern Turner, New York City Consumers Council.

Kindly look at this and tell us whether or not you are she.

(See exhibit No. 62c, appendix, p. 7203.)

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Now, do you remember in attendance at that conference, the attack that was made upon the Federal Bureau of Investigation?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. Do you remember an attack that was made upon the so-called Trotskyites?

Mrs. TURNER. I invoke the fifth amendment.

Mr. ARENS. I invite your attention now to still another document, which is on the letterhead of the Conference for Peaceful Alternatives to the Atlantic Pact, dated August 21, 1949, and attachment. It is a form letter which was sent to each, we understand, of the Members of the Congress. Kindly look at this document in which the name Mrs. Jeanette S. Turner, executive secretary, New York City Consumers Council, Long Island, appears and tell this committee while you are under oath whether or not you participated in that organization.

(See exhibit No. 120d, appendix, p. 7311.)

(Witness conferred with counsel.)

Mr. NEEDLEMAN. On what page is her name?

Mr. ARENS. There it is.

(Witness conferred with counsel.)

Mrs. TURNER. I don't remember being connected with it.

Mr. ARENS. Do you remember being connected with the National Women's Appeal?

Mr. MOULDER. I did not understand the response of the witness.

Mrs. TURNER. I don't remember it.

Mr. NEEDLEMAN. In connection with that organization.

Mr. ARENS. Do you remember being connected with the National Women's Appeal as one of the officers?

Mrs. TURNER. I decline to answer, invoking the fifth amendment.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(Witness conferred with counsel.)

Mrs. TURNER. I do not know what the Communist conspiracy is.

Mr. ARENS. Are you now a Communist?

Mrs. TURNER. I decline to answer under the fifth amendment.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Mrs. Turner, this committee hoped that because of the truly horrible attack made by Russia on Hungary that even the hard-boiled American Communists might be willing to make a contribution to the security of America by telling what they could about the conspiracy and about the connection that the American Communists have with Russia.

We are indeed disappointed that you and these other witnesses did not see fit to assist this committee at this time.

Mr. SCHIERER. I have just one question, Mr. Chairman.

Counsel for the committee, Mrs. Turner, asked you about the letter you wrote to Congressman Teague as chairman of the House Veterans Committee on behalf of Robert Thompson.

You wrote that letter in March of this year, just a few months ago. At the time that you wrote that letter on behalf of Robert Thompson you knew, did you not, that he had been convicted under the Smith Act and had jumped bail?

(Witness conferred with counsel.)

Mrs. TURNER. I decline to answer under the fifth amendment.

Mr. SCHERER. That is all.

Mr. ARENS. Mr. A. Harry Levitan, please.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEVITAN. I do, sir.

**TESTIMONY OF A. HARRY LEVITAN, ACCOMPANIED BY COUNSEL,
JOSEPH FORER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LEVITAN. My name is A. Harry Levitan, and my offices are at 1412 Fox Building, Philadelphia, and I am a member of the bar of Philadelphia County.

Mr. ARENS. And how long have you been admitted to practice law?

Mr. LEVITAN. I was admitted to the practice of law in October 1935.

Mr. ARENS. For the purpose of further identification, you represented this morning Mr. Sol Rotenberg?

Mr. LEVITAN. I did, and I have represented many people before this committee, and I will represent some others this afternoon if they are called.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. LEVITAN. I am not.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. LEVITAN. I decline to answer that question under that provision of the fifth amendment which says that I need not be a witness against myself.

Mr. ARENS. Were you a member of the Communist Party a year ago?

Mr. LEVITAN. I decline to answer that question for the reason given.

Mr. ARENS. Were you a member of the Communist Party 6 months ago?

(Witness conferred with his counsel.)

Mr. LEVITAN. Will you repeat the question, please?

Mr. ARENS. Were you a member of the Communist Party 6 months ago?

Mr. LEVITAN. I was not.

Mr. ARENS. Were you a member of the Communist Party 9 months ago?

Mr. LEVITAN. I was not.

Mr. ARENS. Were you a member of the Communist Party 12 months ago?

Mr. LEVITAN. I will refuse to answer that for the reason already given.

Mr. ARENS. Were you a member of the Communist Party 11 months ago?

Mr. LEVITAN. I refuse to answer that for the reason given.

Mr. ARENS. Were you a member of the Communist Party 10½ months ago?

Mr. FORER. Can we shorten this numbers game by—

The CHAIRMAN. This is not a numbers game, Mr. Forer, and I think we can shorten it very considerably by asking the witness one question. When did you cease to be a member of the Communist Party?

Mr. LEVITAN. I have not admitted being a member of the Communist Party, Mr. Walter.

Mr. ARENS. I respectfully suggest in the presence of this witness, another witness be brought forward so that we can have a clearer identification. Mr. Herman Thomas, will you kindly come forward?

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. THOMAS. I do.

TESTIMONY OF HERMAN THOMAS

Mr. ARENS. Mr. Thomas, you have previously testified before this committee; is that correct?

Mr. THOMAS. That is correct.

Mr. ARENS. Were you ever a member of the Communist Party?

Mr. THOMAS. Yes, sir, I was an undercover agent for the FBI.

Mr. ARENS. Please tell us the period of time in which you were an undercover agent for the Federal Bureau of Investigation in the Communist Party.

Mr. THOMAS. From April 1944 until May 6, 1954.

Mr. ARENS. During the period of time that you were a member of the Communist Party, did you have occasion to make the acquaintanceship of a person by the name of A. Harry Levitan?

Mr. THOMAS. Yes, sir, I did.

Mr. ARENS. Did you know that person as a Communist?

Mr. THOMAS. Yes, sir, I did.

Mr. ARENS. Do you here and now identify A. Harry Levitan, who to your certain knowledge was a Communist?

Mr. THOMAS. Was a Communist, yes, sir, I do.

Mr. ARENS. Do you see that person in the hearing room today?

Mr. THOMAS. Yes, sir, I do.

Mr. ARENS. Would you kindly point him out to the Committee?

Mr. THOMAS. He is seated right here.

TESTIMONY OF A. HARRY LEVITAN—Resumed

Mr. ARENS. You have just heard the testimony of Mr. Herman Thomas, in which he said that he knew you as a Communist. Was he lying or telling the truth?

Mr. FORER. Just a moment, Mr. Chairman. Under the circumstances of this case, I ask that I be given leave to briefly cross examine Mr. Thomas.

Mr. ARENS. Was he lying or was he telling the truth?

Mr. LEVITAN. We would like to cross examine Mr. Thomas.

The CHAIRMAN. You can answer the question.

Mr. FORER. Mr. Moulder was willing to give me that opportunity yesterday.

The CHAIRMAN. Mr. Moulder is not the chairman of this committee, as you know.

Mr. FORER. The committee ought to have a policy.

The CHAIRMAN. We have a policy, and it is in the rules. Go ahead please.

Mr. ARENS. Mr. Levitan, you have just heard the statements by Mr. Thomas. He said that you were a Communist. Was he lying or was he telling the truth?

Mr. LEVITAN. Mr. Thomas testified in a deportation case, in the Gates case, where I was counsel for Mr. Michael Gates, and in that testimony he swore that he did not know whether or not I was a Communist.

Mr. ARENS. Tell this committee whether or not Mr. Thomas has just perjured himself when he said that he knew you as a Communist while he was an undercover agent in the FBI.

Mr. LEVITAN. Does this committee expect me to risk my professional reputation, and my standing at the bar, on the basis of testimony of a man who repeatedly for \$35 a day is a Government witness?

Mr. ARENS. I suggest the witness be ordered and directed to answer the principal outstanding question.

The CHAIRMAN. Answer the question.

Mr. LEVITAN. I decline to answer under the privilege of the fifth amendment.

The CHAIRMAN. Now, you are talking about your reputation as a lawyer. I know of no better way to remove the cloud that has been over you for a long while than by here and now, under oath, saying that you were not a Communist.

Mr. LEVITAN. I will remove that cloud, sir, at the proper time and place, before a committee of my peers.

Mr. ARENS. Were you a member of the Communist Party when you were sworn in as an attorney and took an oath to support and defend the Constitution of the United States?

(Witness conferred his counsel.)

Mr. LEVITAN. Further, sir, in view of my statement as to Mr. Thomas' testimony in the Michael Gates deportation case, I ask leave to have my attorney cross examine him.

The CHAIRMAN. Answer the question.

Mr. LEVITAN. I didn't hear the question.

Mr. ARENS. Were you a member of the Communist Party when you were admitted as a lawyer, and took an oath to support and defend the Constitution of the United States?

Mr. LEVITAN. I was not.

Mr. ARENS. When was that?

Mr. LEVITAN. I told you; October of 1935.

Mr. ARENS. Were you at any time a member of the Communist Party while you were a licensed lawyer to practice before the courts in Pennsylvania?

Mr. LEVITAN. I decline to answer that question for the reasons given before, and I respectfully ask leave to cross-examine Mr. Thomas.

Mr. ARENS. You have asked that three times now, and it has been declined each time.

Mr. LEVITAN. I say that common decency and fairness requires that my counsel be given the opportunity.

The CHAIRMAN. The only "common decency and fairness" question is whether or not you are going to assist your Government in its attempts to prevent from happening here what has happened in many other countries of the world.

Mr. LEVITAN. I have and I will. I support this Government, and I will in every way.

The CHAIRMAN. Why don't you answer these questions then?

Mr. LEVITAN. You wish me to risk my reputation and my professional career on the basis of testimony of a \$35-a-day witness, who has again and again acted as a witness.

Mr. ARENS. Why don't you stand up like a red-blooded American and deny you have ever been a member of the Communist conspiracy?

Mr. LEVITAN. I have answered that question.

TESTIMONY OF HERMAN THOMAS—Resumed

Mr. ARENS. Mr. Thomas, tell us the circumstances under which you knew this witness as a member of the Communist Party.

Mr. THOMAS. I attended several closed meetings of the Communist Party in Philadelphia, at which time Harry Levitan was present.

Mr. LEVITAN. When I asked you those questions at the Gates case, you didn't so state.

The CHAIRMAN. Never mind.

Mr. ARENS. During what period of time were these closed meetings at which you were in attendance with Mr. Levitan?

Mr. THOMAS. From 1946 up to 1951.

TESTIMONY OF A. HARRY LEVITAN—Resumed

Mr. LEVITAN. I have the greatest respect for this committee, and I do not mean to be impudent, but when charges of this nature are made by an individual whose business it is for pay to inform—

The CHAIRMAN. No; Mr. Thomas is a good American, and if you were half the American that he is you would answer these questions.

Mr. LEVITAN. I have no doubt that I am, sir, and I hope to convince you, sir.

The CHAIRMAN. You talk about respecting this committee, and a moment ago when you said that you were going to have this issue of your standing tried before a committee of your peers, it didn't go unnoticed.

Mr. LEVITAN. The great privilege which I have been given is subject to that.

Mr. SCHERER. Just a moment. In view of his attack on this witness, I have a question, Mr. Chairman, I would like to ask. When the witness here said that he had attended closed Communist Party meetings with you, was he telling the truth or was he lying?

Mr. LEVITAN. I say to you that he did not so state when he attacked me while I was conducting a deportation hearing.

The CHAIRMAN. That is not responsive.

Mr. SCHERER. My question is, When this man said that he attended closed Communist Party meetings with you, as he stated just a few

minutes ago under oath, was he telling the truth or was he lying? If you say that he is not telling the truth, I will ask that your testimony and his testimony be referred to the Department of Justice.

Mr. LEVITAN. Precisely.

The CHAIRMAN. Then answer the question.

Mr. LEVITAN. I decline to answer that question for the reason which has been given.

Mr. ARENS. Now, Mr. Levitan, in February of 1953, did you attend and participate in a conference to repeal the Walter-McCarran Immigration Act held in the Hotel Sylvania?

Mr. LEVITAN. I think that I did. I am not sure now.

Mr. ARENS. That is in Philadelphia, by the way, and I lay before you a document which is "A Call for Action—Conference to Repeal Walter-McCarran Immigration Act." This conference was to be held, according to this document, in Philadelphia, Pa. (February 8, 1953), for the purpose of soliciting people to write their Congressmen; and get organizations going in the various communities, and elect delegates to conference, write to Conference Sponsoring Committee, and other activities, all designed to oppose the Walter-McCarran Immigration Act.

(Document marked "Exhibit No. 198a-c," see appendix, pp. 7447-7449.)

Kindly look at that exhibit, and tell us whether or not that refreshes your recollection with regard to any of your participations in that movement?

Mr. LEVITAN. No; I am not sure, but I think that I spoke against the Walter-McCarran Act at this conference; yes, and I think that I did. I want to make it understood that I speak against many of the provisions of the Walter-McCarran Act, and I do not take the position that everything about the Walter-McCarran Act is a bad thing.

Mr. ARENS. Were you a member of the Communist Party when you made this speech?

Mr. LEVITAN. Oh, please.

Mr. ARENS. Will you please tell us?

Mr. LEVITAN. I refuse to answer that question for the reason given.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact that you were a member of the Communist Party when you participated in this conference on February 8, 1953.

Mr. LEVITAN. I put it to you as a fact that you have no evidence in your files so indicating.

The CHAIRMAN. What was the date?

Mr. ARENS. 1953.

The CHAIRMAN. The files are replete with evidence that in 1953 you were a Communist.

Mr. LEVITAN. May I see that, sir?

Mr. CHAIRMAN. No, that is our file. Is the information we have correct?

Mr. LEVITAN. May I respectfully call your attention to the fact of one case when a member of this committee made the same statement and subsequently a letter was sent out by this committee saying it was not the case.

The CHAIRMAN. Do you know whether or not this information is correct?

Mr. LEVITAN. I refuse to answer for the reasons stated.

The CHAIRMAN. Proceed.

Mr. ARENS. Now, I invite your attention, if you please, sir, to a document which is a photostatic copy of an article in the Communist Daily Worker of February 25, 1953, page 4, which contains a letter to the editor from Harriet Barron, administrative secretary of the American Committee for Protection of Foreign Born. If you will read this letter you will observe that Harry Levitan is identified in this letter as one of the speakers at a conference held in Philadelphia.

Kindly look at that and see if that confirms your recollection? (Document marked "Exhibit No. 199," see appendix, p. 7450.)

Mr. LEVITAN. You mean about this conference?

Mr. ARENS. Yes.

Mr. LEVITAN. I told you I probably spoke against the Walter-McCarran Act at that meeting.

Mr. ARENS. See if this helps you remove the probabilities, and develop in your mind any degree of certainty?

Mr. LEVITAN. I don't see how this can help me. If someone else writes a letter about a conference, and says that I spoke there, that may or may not be the case. I have told you that I probably spoke there.

Mr. ARENS. Did you at that conference, make a speech in which you said that if anyone has any problems, deportation problems, they should take it up either with you or with Rotenberg?

Mr. LEVITAN. I did not, to my best recollection, sir. I have never publicly suggested to people that they come to me as an attorney. I have been an immigration and nationality lawyer for about 10 years, but I don't go around telling everybody publicly to have me as their lawyer. And I am sure I didn't do it there.

Mr. ARENS. Now, please tell this committee whether or not you are one of the sponsors or were one of the sponsors of the American League for Peace and Democracy in Philadelphia?

Mr. LEVITAN. I am not sure of that.

Mr. ARENS. Well, let me lay before you a letterhead which might help refresh your recollection.

Mr. LEVITAN. I know that I am listed as a sponsor of that organization. But I do not honestly remember and if I did remember I would tell you. But I don't honestly remember whether I was a sponsor by my own permission of that organization.

Mr. ARENS. Are you finished now?

Mr. LEVITAN. I am finished.

Mr. ARENS. I lay before you a document on the letterhead of the American League for Peace and Democracy, which is a photostatic copy of a letter—dated February 3, 1939—from a person by the name of Edna, addressed to a Miss Elenor [Eleanor] Fowler of the American League for Peace and Democracy, on which letterhead among other persons listed as sponsors, is A. Harry Levitan, Esquire. Please look at that and see whether or not that refreshes your recollection with reference to any participation or official capacity you had with that organization?

(Document marked "Exhibit No. 200," see appendix, p. 7451.)

Mr. LEVITAN. This letter is dated February 3, 1939. I have already told you that I have no recollection. In other words, I wish to make it clear that I have heard from other sources that my name

was listed as a sponsor of this organization, but I have no recollection as to whether or not I authorized the use of my name as a sponsor. If I had, I would tell you. Why don't you ask me why I am opposed to the Walter-McCarran Act, and what ought to be done about it? I am an expert in that field.

The CHAIRMAN. You are very modest about it.

Mr. FORER. He is an expert.

Mr. ARENS. May I ask you if you ever took any steps when you heard of being connected with the American League for Peace and Democracy to cause your name to be removed from the letterhead of this organization when it was cited as a Communist front?

Mr. LEVITAN. You know very well, Mr. Arens, that the Supreme Court of the United States has held that the Attorney General has no power without a hearing, notice, and an opportunity to defend, to cite any organization as a Communist-front organization. You know that, Mr. Arens, as a lawyer. So don't so state to me.

Mr. ARENS. You know it has been cited by the Committee on Un-American Activities on the basis of hearings, and we have had a number of Communists before us.

Mr. LEVITAN. I greatly respect the committee—please let me answer this in my own way. There is nothing in the law which says that this committee has the right to list an organization as an un-American organization, and I know it does. But with all due respect to this committee, the Constitution of the United States, as interpreted by the Supreme Court of the United States in the case of *I. W. O. v. McGrath*, decided in 341 United States, that the listing of an organization—

The CHAIRMAN. Never mind; we know what the law is.

Mr. ARENS. Would you answer the question? The question doesn't have anything to do with all of this recitation of the Commie line.

Mr. LEVITAN. Sir, I am not speaking the Commie line. I am speaking what my understanding of the law of this country is.

Mr. ARENS. Now, please answer the question. The question is, and has been for the last 5 minutes, did you take any steps to cause your name to be removed from this letterhead of the American League for Peace and Democracy?

Mr. LEVITAN. This organization as far as I can know, and this is 1939, as far as I know went out of existence somewhere around 1944 or 1945. I could certainly not do anything after 1945 or 1946 to cause my name to be removed from a letterhead in 1939. The organization was out of existence.

The CHAIRMAN. Did you know Edna Richter?

Mr. LEVITAN. Who was Edna Richter, sir?

The CHAIRMAN. The executive secretary of the American League for Peace and Democracy.

Mr. LEVITAN. In 1939? Is that the date of that letter?

The CHAIRMAN. Yes.

Mr. LEVITAN. I have no recollection of that name, sir.

The CHAIRMAN. Do you know Harry Block?

Mr. LEVITAN. Harry Block?

The CHAIRMAN. Louise L. Beachboard?

Mr. LEVITAN. Louise L. Beachboard, I think that I recall that name. The CHAIRMAN. Rose L. Bloom?

Mr. LEVITAN. Sir, you are referring to names in 1939, sir.

The CHAIRMAN. I am merely asking you if you know them?

Mr. LEVITAN. I have no recollection of such names, sir, and if I did I would tell you.

The CHAIRMAN. Then the answer is "No"?

Mr. LEVITAN. The answer is, "I have no recollection."

The CHAIRMAN. Do you know Mildred Fairchild?

Mr. LEVITAN. I think she was a very prominent person in Philadelphia.

The CHAIRMAN. Do you know Mildred Fairchild?

Mr. LEVITAN. Not personally, just by hearsay and reputation.

The CHAIRMAN. Do you know Reverend Haslam?

Mr. LEVITAN. I have heard of Reverend Haslam, but I cannot say I know him.

Mr. ARENS. Were you counsel to the Progressive Party of Pennsylvania in 1949?

Mr. LEVITAN. I was counsel for the Progressive Party of the State of Pennsylvania in 1948, sir.

Mr. ARENS. Were you also counsel in 1949?

Mr. LEVITAN. In 1949? After the election, didn't the Progressive Party disband pretty soon after the election? I may have been for a period in 1949 advising them as to certain legal problems; yes. Yes; I think so.

Mr. ARENS. Did you know Alexander Wright?

Mr. LEVITAN. Alex Wright?

Mr. ARENS. Yes.

Mr. LEVITAN. I think Alex Wright was connected with the Progressive Party at one time, and I didn't know him too well, but I know he was connected with the Progressive Party; yes.

Mr. ARENS. Did you represent the Communist Party in a threatened action against the Broadwood Hotel in Philadelphia in 1949?

Mr. FORER. Excuse me, Mr. Chairman. Now he is asking a lawyer what clients he represented. What is wrong with that? Suppose he did?

The CHAIRMAN. I don't know what Mr. Arens is leading up to, and I am sure it is proper and this is a preliminary question, and no harm can be done by asking a question.

Mr. FORER. I don't think it is right to ask such a question.

Mr. ARENS. As counsel knows, the Communist Party is careful in the selection of their attorneys.

Mr. FORER. You know I have represented the Communist Party.

Mr. LEVITAN. I am going to tell you who I represented because it is a matter of public record.

Mr. ARENS. I will ask you to look at a copy of the Communist Daily Worker of March 29, 1949 (p. 11).

Mr. LEVITAN. Why don't you let me answer the question?

The CHAIRMAN. Wait until a question is asked. Ask the question, Mr. Arens.

Mr. LEVITAN. He asked if I represented the Communist Party.

Mr. ARENS. In the Daily Worker of that date there is an article with reference to an action instituted by certain attorneys with reference to the Communist Party.

Mr. LEVITAN. I have been counsel for the Communist Party on various occasions.

Mr. ARENS. Now, I want to ask you the succeeding question: Were you a Communist when you represented the Communist Party in March of 1949?

Mr. LEVITAN. I have refused to answer that question for the reason that I have stated.

The CHAIRMAN. You haven't been asked that question.

Mr. LEVITAN. I was asked it before.

The CHAIRMAN. You were not.

Mr. LEVITAN. May I tell you about that case?

Mr. ARENS. I would like to read this article in the record to see if your recollection is refreshed:

PHILADELPHIA, March 28.—The Eastern Pennsylvania Communist Party announced yesterday that it is fighting the attempt by the Broadwood Hotel to void a contract for hall where a peace rally is scheduled.

Plans for the meeting are being published nevertheless, Phil Bart, Eastern Pennsylvania Communist chairman declared. Legal action is being considered against the Broadwood Hotel. Attorneys Saul Waldman and Harry Levitan have been retained to represent the party.

Do you recall that action by you on behalf of the Communist Party and its peace moves and its attempts to get a hall to hold a rally?

Mr. LEVITAN. It is a constitutional right for the Communist Party to try to hold a public meeting. I support that right unqualifiedly.

Mr. ARENS. Now, please answer the question.

Mr. LEVITAN. As a lawyer and as a citizen, when the Communist Party came to me and said, would I be their lawyer so that they could have a public lawful meeting for which they had a contract, I said, "yes."

Mr. ARENS. Tell the committee who in the Communist Party came to you and said that?

Mr. LEVITAN. Said what?

Mr. ARENS. What you just said they said.

Mr. LEVITAN. I said I said it.

Mr. ARENS. Who of the Communist Party contacted you that you are talking about?

Mr. LEVITAN. I said I said it.

Mr. ARENS. The record shows it.

The CHAIRMAN. Wait a minute, and we will find out. Who was it that came to you to retain you?

Mr. LEVITAN. When was this, now?

Mr. ARENS. In 1949.

Mr. LEVITAN. I don't know. I assume it was one of the officials of the Communist Party.

Mr. ARENS. Who were they at that time?

Mr. LEVITAN. Believe me, I don't remember, in 1949. Do you have any information?

Mr. ARENS. Was it Phil Bart? He was Eastern Pennsylvania Communist chairman.

Mr. LEVITAN. It may have been him.

Mr. ARENS. How long did you know Phil Bart?

Mr. LEVITAN. I knew Phil Bart as a client for, I think, a few years.

Mr. ARENS. Did you know him in any other capacity?

Mr. LEVITAN. I knew him as a client.

Mr. ARENS. Did you know him in any other capacity?

Mr. LEVITAN. The answer to that I have already answered.

Mr. ARENS. Tell the committee again.

Mr. MOULDER. Counsel has referred to the Communist Party and it is not clear in my mind. Is that the Communist Party of Philadelphia?

Mr. LEVITAN. The Communist Party, the section of it or the part of it that is in Philadelphia. They wanted to have a public meeting and they had a contract.

The CHAIRMAN. We understand that.

Mr. ARENS. Tell this committee if you have known Phil Bart in any capacity other than as a client?

Mr. LEVITAN. Phil Bart? I do not believe that I have.

Mr. ARENS. Did you ever serve in any closed party meetings with him?

Mr. LEVITAN. Let me see now.

(Witness conferred with his counsel.)

Mr. LEVITAN. I refuse to answer that for the reason given before.

Mr. ARENS. What reason is that?

Mr. LEVITAN. Because of the privilege not to be a witness against myself. That is under the fifth amendment.

The CHAIRMAN. You are invoking the fifth amendment?

Mr. LEVITAN. Yes.

The CHAIRMAN. I would like to ask you a question about these people who retained you. Were any of them the people who were convicted in Philadelphia under the Smith trial cases?

Mr. LEVITAN. You know I didn't represent any of them in the Smith Act prosecution.

The CHAIRMAN. I am asking you whether any of them were the same?

Mr. LEVITAN. Let me see. Believe me, Mr. Walter, I don't know. I wish that I did.

The CHAIRMAN. Actually, those people were convicted on the testimony of Mr. Thomas, were they not?

Mr. FORER. That is not fair.

Mr. CHAIRMAN. Just keep quiet. One of these days you are going to have an opportunity to testify.

Mr. FORER. I don't think you should threaten me while I am here as counsel.

Mr. LEVITAN. May I discuss why I am opposed to the Walter-McCarran Act?

The CHAIRMAN. I think I know your reason.

Mr. LEVITAN. Why don't you let me tell you?

Mr. ARENS. First, tell us if you have been a Communist, and then we will get into what you and others of your type happen to think about the act.

Mr. LEVITAN. I happen to feel that a citizen of the United States has a right to oppose the Walter-McCarran Act even if he happens to be a Communist.

Mr. ARENS. Of course he does, and the Congress has a right to expose what the Communists are doing to undertake to destroy anti-Communist legislation, and you know it. Now, I invite your attention to a photostatic copy of the Communist Daily Worker of August 3, 1950 (p. 3). I lay this before you now. It indicates that you rep-

resented the Civil Rights Congress in a certain proceedings. That is described by the Communist press as "A police frameup."

(Document marked "Exhibit No. 201," see appendix, p. 7452.)

Mr. LEVITAN. 650 people came before President Eisenhower's Commission on Immigration and Naturalization and most of them were opposed to this act.

The CHAIRMAN. You mean Truman's Commission. You don't mean Eisenhower's Commission.

Mr. LEVITAN. The President's Commission on Immigration and Naturalization.

The CHAIRMAN. Let me tell you who they were. Ninety percent of them were under orders of deportation.

Mr. LEVITAN. It can't be. I have their names here.

The CHAIRMAN. Never mind. We don't want to hear from you. We will hear from you at the proper time.

Mr. ARENS. Might I invite your attention now to this exhibit that I have been describing in the course of your last diatribe. It is the Communist Daily Worker of August 1950, with reference to Mr. Harry Levitan representing the Civil Rights Congress in a proceeding of what is described in the Communist press here as "A police frameup." Do you have a recollection of representing them?

Mr. LEVITAN. A police frameup?

Mr. ARENS. It refers to the Civil Rights Congress proceeding in 1950.

Mr. LEVITAN. Mr. Arens, if your right to speak and say what you wanted to was abridged, I would represent you, too, even though I disagree with you.

Mr. ARENS. Kindly answer the question of whether or not you represented the Civil Rights Congress in that proceeding.

Mr. LEVITAN. In 1950? You mean this is a case where two people were arrested and held under \$20,000 bail and they went to a court and I got a writ of habeas corpus and they were free? It was held that their arrest was illegal.

Mr. ARENS. Please tell us who in the Civil Rights Congress engaged you for that activity?

Mr. LEVITAN. I don't recall.

Mr. ARENS. All right, sir, thank you.

Mr. LEVITAN. First of all, I don't recall whether the Civil Rights Congress engaged me, and if so, I don't recall who it was. My recollection, sir, is that these two people engaged me personally, and that is my recollection.

Mr. ARENS. Well, the Communist press said you were engaged by a representative of the Civil Rights Congress.

Mr. LEVITAN. I represent people who are charged with the commission of crime, and I do not ask them whether they are Communists or Fascists or Republicans or Democrats.

Mr. ARENS. Now, Mr. Witness, I invite your attention to a conference under the auspices of the Emergency Civil Liberties Committee which was held in Philadelphia, on June 11, 1955.

Mr. LEVITAN. Emergency Civil Liberties Committee?

Mr. ARENS. Yes, and the title to this, according to the brochure here is, "Rebirth of Freedom Conference." That is a very laudable ob-

jective, the "Rebirth of Freedom." Among those who are to participate and address the conference is our old friend Prof. Leonard Boudin, Dr. Otto Nathan, and I see your name here, Harry Levitan. Do you have a recollection of participating in a conference of the Emergency Civil Liberties Committee in Philadelphia in 1955?

(Document marked "Exhibit No. 202," see appendix, p. 7453.)

Mr. LEVITAN. I don't, but please let me refresh my recollection and I will tell you if I did.

Mr. ARENS. Surely.

Mr. LEVITAN. Oh, yes, I spoke on denaturalization and deportation.

Mr. ARENS. Do you recall who invited you to speak?

Mr. LEVITAN. I think this committee.

Mr. ARENS. Who on the committee?

Mr. LEVITAN. I believe I don't know. I got a letter.

Mr. ARENS. From whom, do you recall?

Mr. LEVITAN. I don't know, from the committee and they said that they are discussing the denaturalization and deportation features of the act, and would I as an attorney come and discuss them, and I came there and I discussed them as I saw them and as the President's Commission on Immigration and Naturalization saw it, and as every important Law Review article in the United States which I have read sees it.

Mr. ARENS. And were you a member of the Communist Party when you made this address?

Mr. LEVITAN. I was not.

Mr. ARENS. That was in June of 1955, now remember.

Mr. LEVITAN. I was not.

Mr. ARENS. Who was it who spoke on informers as a means of suppression. Do you recall?

Mr. LEVITAN. I do not recall and will you permit me to refresh my recollection? This was a public meeting, and very well attended.

Mr. ARENS. Was I. F. Stone a participant? Who gave the address on informers as a means of suppression?

Mr. LEVITAN. Well, it says here that Mr. Frank Donner, who I understand is a member of the New York bar, but please believe me I don't recall.

Mr. ARENS. He has been identified as a Communist has he not, by live witnesses before a congressional committee under oath?

Mr. LEVITAN. What did Mr. Donner say about it?

Mr. ARENS. I'm just asking you. He took the fifth amendment, of course.

Mr. LEVITAN. Well, the fact that someone identifies a lawyer as a member of the Communist Party, in my opinion in view of my personal experience, does not prove that lawyer to be a member of the Communist Party.

Mr. SCHERER. But when the lawyer like you had an opportunity today to deny it and doesn't deny it, it is conclusive in my mind that the person is telling the truth.

Mr. ARENS. Who was moderator of this particular session for the Rebirth of Freedom?

Mr. LEVITAN. It says here Mr. I. F. Stone.

Mr. ARENS. Did you know Mr. I. F. Stone?

Mr. LEVITAN. I cannot say that he is a friend of mine, but I do know that he writes a paper which I read.

Mr. ARENS. And he was at one time writer for the Communist Daily Worker, was he not?

Mr. LEVITAN. I have no knowledge of that. I know he was a writer for Compass, and for P.M., which I understand is an anti-, or was an anti-Communist newspaper.

Mr. ARENS. Now, you recall this morning we talked with Mr. Rotenberg about this celebration held for you?

Mr. LEVITAN. It was excellent, and there were a thousand people there.

Mr. ARENS. And under whose auspices was that celebration held?

Mr. LEVITAN. I think it was under the auspices of the Philadelphia Committee to Defend the Foreign Born, and it was for me. They invited anybody in Philadelphia who wanted to come, in order to, I suppose you call it, "honor me" because of my long history of legal work in the field of civil liberties, naturalization and deportation, and civil rights. I have done this work for almost 20 years.

Mr. ARENS. We understand. Were you identified—

Mr. LEVITAN. I think I have upheld the American democratic system and the laws of this country to the best of my ability in so doing.

Mr. ARENS. Have you been a member of an organization dedicated to the overthrow of the Government of the United States by force and violence?

(The witness conferred with his counsel.)

Mr. LEVITAN. Not to my knowledge. I could not be a member of such an organization because I am opposed to any organization which has as its purpose the overthrow of the Government by force and violence.

Mr. ARENS. Then are you opposed to the tenets and principles of the Communist Party?

Mr. LEVITAN. What are the tenets and principles of the Communist Party, sir?

Mr. ARENS. According to the Supreme Court of the United States and congressional committees, among other things, it is the advocacy of the overthrow of the Government of the United States by force and violence. Are you opposed to that?

Mr. LEVITAN. I am flatly opposed to that.

Mr. ARENS. Then are you opposed to the tenets of the Communist Party?

Mr. LEVITAN. If that is the tenets of the Communist Party, I am flatly and unalterably opposed to them.

Mr. ARENS. Then have you been a member of an organization—

Mr. LEVITAN. Not to my knowledge.

Mr. ARENS. Have you been a Communist?

Mr. LEVITAN. I have refused to answer that question because of my privilege under the fifth amendment.

Mr. ARENS. Were you a member of the Committee for Protection of Foreign Born in Philadelphia?

Mr. LEVITAN. As far as I know, that is not a membership organization.

Mr. ARENS. I beg your pardon?

Mr. LEVITAN. As far as I know that is not a membership organization.

Mr. ARENS. Have you been active in the organization—

Mr. LEVITAN. No.

Mr. ARENS. The Philadelphia Committee for Protection of Foreign Born?

Mr. LEVITAN. No. I have spoken for them. I spoke—for example, they had a meeting just last week against certain aspects of the Walter-McCarran Act.

Mr. ARENS. And you spoke then?

Mr. LEVITAN. I was a speaker, just last week.

Mr. ARENS. Were you under Communist Party discipline when you made that speech?

Mr. LEVITAN. I was not, sir.

Mr. ARENS. Do you have any idea why Rotenberg, who was your client here today, used the name of the Philadelphia Life Insurance Co. in connection with the reservations for the facilities for this big session honoring you?

Mr. LEVITAN. I was amazed to hear that and I would be surprised if that were actually the fact.

The CHAIRMAN. There is the letter.

Mr. LEVITAN. I don't understand that at all because the Philadelphia Life Insurance Co. had nothing to do with that celebration.

The CHAIRMAN. Absolutely nothing, but the hotel wouldn't rent it to that kind of crowd, so he had to get the hall under subterfuge.

Mr. LEVITAN. May I talk to you about the Walter-McCarran Act, sir?

The CHAIRMAN. No. I know what you will say about it.

Mr. LEVITAN. Why don't you let me say it?

The CHAIRMAN. Because I am not interested in what you will say, because I know what it is.

Mr. LEVITAN. I have been in the field for 10 years. Why don't you let me tell you my experience.

Mr. ARENS. When you have been appearing for these clients of yours in the last several years, have you at any time been under Communist discipline?

Mr. LEVITAN. What is that again?

Mr. ARENS. During all this service you have been commending yourself for——

Mr. LEVITAN. I have not been commending myself. I have been telling you what I have been doing. I have refused to answer that for the reasons I have given.

Mr. ARENS. What happened to the funds that were raised in this testimonial to honor you in Philadelphia awhile back?

Mr. LEVITAN. I don't know. I know that I was given a gift.

Mr. ARENS. By the organization?

Mr. LEVITAN. I think so, but I don't know what happened to the funds.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

Mr. LEVITAN. Thank you.

The CHAIRMAN. Call your next witness.

Mr. ARENS. Mrs. Parris, please; Nina Parris.

(Off the record.)

The CHAIRMAN. Will you raise your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PARRIS. I do.

**TESTIMONY OF MRS. NINA PARRIS, ACCOMPANIED BY COUNSEL,
RAYMOND J. BRADLEY**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. PARRIS. Mrs. Nina Parris. 4130 Parkside Avenue, Philadelphia.

Mr. ARENS. You are appearing here today, Mrs. Parris, pursuant to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. PARRIS. I am.

Mr. ARENS. You are represented by counsel?

Mrs. PARRIS. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. BRADLEY. Raymond J. Bradley, 2105 Land Title Building, Philadelphia, Pa.

Mr. ARENS. Mrs. Parris, where were you born?

Mrs. PARRIS. Berlin, Germany.

Mr. ARENS. When did you come to the United States?

Mrs. PARRIS. In April of 1937.

Mr. ARENS. Were you admitted then for lawful residence?

(The witness conferred with her counsel.)

Mrs. PARRIS. I was admitted under a quota number.

Mr. ARENS. Are you a citizen of the United States?

(The witness conferred with her counsel.)

Mrs. PARRIS. I have derivative citizenship.

Mr. ARENS. Your father or mother was a citizen?

Mrs. PARRIS. That is correct.

(The witness conferred with her counsel.)

Mr. ARENS. We understand about derivative citizenship. You are a derivative citizen?

Mrs. PARRIS. That is correct.

Mr. MOULDER. What is your address, Mrs. Parris?

Mrs. PARRIS. 4130 Parkside Avenue, Philadelphia.

Mr. ARENS. Mrs. Parris, are you a Communist?

(The witness conferred with her counsel.)

Mr. BRADLEY. I advise you, Mrs. Parris, that you may, if you choose, claim your privilege under the fifth amendment—

The CHAIRMAN. When you advise your client, just advise her privately.

Mrs. PARRIS. On the advice of counsel, I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Under date of October 1952 a witness by the name of Thomas Delaney, D-e-l-a-n-e-y, appeared before this committee and took an oath and stated that he, while a member of the Communist Party, knew you as a Communist. Was Mr. Thomas Delaney lying or was he telling the truth?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the fifth amendment and the first amendment.

Mr. ARENS. Do you know a person by the name of Thomas Delaney?

Mrs. PARRIS. The same answer and the same reason.

Mr. ARENS. Were you ever in the Communist Party underground?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and the fifth amendments.

Mr. ARENS. Mrs. Parris, according to the Communist Party Daily Worker of February 1953 (February 25, 1953, p. 4) there is a letter here indicating that a number of people assembled for a session for the repeal of the Walter-McCarran Immigration Act in the Hotel Sylvania. Please look at that letter. It is a letter addressed to the Daily Worker from one Harriet Barron. And tell us whether or not you were in attendance at that meeting.

Mr. BRADLEY. Do you know what year this was?

Mr. ARENS. 1953.

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. You were the official conference reporter for that conference, were you not, the conference which was held at the Hotel Sylvania in February 1953 for the purpose of developing sentiment and creating organizations for the destruction of the Walter-McCarran Act, isn't that correct?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and the fifth amendments.

Mr. MOULDER. May I ask, Mr. Chairman—Are you a reporter?

Mrs. PARRIS. A reporter?

Mr. BRADLEY. You mean a stenograph reporter, sir?

Mr. MOULDER. I understand counsel referred to you as a reporter. Is that your professional occupation?

Mr. BRADLEY. If the question is, is she a stenographic reporter, she can answer that.

Mrs. PARRIS. No, sir; I am not.

Mr. ARENS. Were you the official conference reporter of this conference held in the Hotel Sylvania on February 8, 1953?

(The witness conferred with her counsel.)

Mrs. PARRIS. I use the first and the fifth amendments.

Mr. ARENS. Have you been identified with the Philadelphia Committee for Repeal of the Walter-McCarran Act and To Defend Its Victims?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and the fifth amendments.

Mr. ARENS. What has been your activity legislationwise from the standpoint of undertaking to affect the course of any legislation through various organizations?

Mrs. PARRIS. I don't choose to discuss my political opinions.

Mr. ARENS. Do you know Harry Levitan, the gentleman who just left the witness stand?

Mrs. PARRIS. I invoke the first and the fifth amendments.

Mr. ARENS. Do you honestly feel, young lady, that if you told this committee whether or not you know Harry Levitan, who just left this witness stand, you would be supplying the information which might be used against you in a criminal proceeding?

Mrs. PARRIS. Yes.

Mr. ARENS. Did you ever serve in the Communist Party with Harry Levitan?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Harry Levitan was at this conference, was he not, in February 1953, at which you were the official conference reporter?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Have you ever been a member of the Civil Rights Congress?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Are you acquainted with Jack Zucker?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. And the Labor Youth League? Are you a member of the Labor Youth League or have you been a member of the Labor Youth League?

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Did you know Herman Thomas?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Where were you educated?

(The witness conferred with her counsel.)

Mrs. PARRIS. I was educated at the Dalton Schools in New York. I went to the Art Students League in New York City, the Yale University Drama School.

Mr. ARENS. When did you complete your education?

Mrs. PARRIS. I believe it was —

(The witness conferred with her counsel.)

Mrs. PARRIS. I am now taking some courses at the University of Pennsylvania.

Mr. ARENS. When did you complete this work at Yale?

Mrs. PARRIS. That was in 1946, I believe.

Mr. ARENS. Have you ever been gainfully employed?

Mrs. PARRIS. Yes, sir; I have.

Mr. ARENS. Where did you work, just some of the principal employments, if you please.

Mrs. PARRIS. I invoke the first and fifth amendments.

Mr. ARENS. Have you been engaged in any gainful employment concerning which you could tell the committee without disclosing information that could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. PARRIS. I invoke the first and the fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Call your next witness.

(Off the record.)

Mr. ARENS. Ruth Hillsgrove, please.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HILLSGROVE. I do.

The CHAIRMAN. Proceed, Mr. Arens.

TESTIMONY OF MRS. RUTH E. HILLSGROVE, ACCOMPANIED BY
COUNSEL, A. HARRY LEVITAN

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. HILLSGROVE. I am Ruth E. Hillsgrove. I live at 408 School Street, Watertown, Mass., and I work in an office.

The CHAIRMAN. Watertown?

Mrs. HILLSGROVE. Yes.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. HILLSGROVE. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. HILLSGROVE. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself for the record?

Mr. LEVITAN. I am A. Harry Levitan, a member of the Philadelphia bar, with offices at 1412 Fox Building, Philadelphia, Pa.

Mr. ARENS. What is your occupation, ma'am?

Mrs. HILLSGROVE. I work in an office.

Mr. ARENS. What office do you work in?

Mrs. HILLSGROVE. I decline to answer. I invoke the fifth amendment.

Mr. ARENS. Do you honestly feel if you told this committee the office in which you work you would be supplying information which could be used against you in a criminal proceeding?

Mrs. HILLSGROVE. Yes; I do.

Mr. ARENS. Where is the office located?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. I invoke the privilege.

Mr. ARENS. I beg your pardon?

Mrs. HILLSGROVE. I invoke the fifth amendment, the privilege to decline.

Mr. ARENS. Where were you when you were served with your subpoena?

Mrs. HILLSGROVE. I was at home.

Mr. ARENS. What time of day was it you were served?

Mrs. HILLSGROVE. 7:30 in the morning, or thereabouts.

Mr. ARENS. How long have you been engaged in your present employment concerning which you can't tell this committee without giving information that could be used against you in a criminal proceeding?

Mrs. HILLSGROVE. Some time.

Mr. ARENS. As much as a year?

Mrs. HILLSGROVE. Yes.

Mr. ARENS. As much as 2 years?

Mrs. HILLSGROVE. I decline.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. At the present time, I probably have been employed about—I am not sure, less than 6 months.

Mr. ARENS. What was your employment immediately prior to this present employment?

Mrs. HILLSGROVE. Northeastern Distributors, Cambridge, Mass.

Mr. ARENS. How long were you employed there?

Mrs. HILLSGROVE. About a year I think.

Mr. MOULDER. What type of work do you do?

Mrs. HILLSGROVE. Office work, general office work.

Mr. ARENS. Are you now, or have you been, connected with the New England Committee for Protection of Foreign Born?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Do you know a man by the name of James W. Glatis?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. I do not think so.

Mr. ARENS. Do you know a man by the name of James Glatis?

Mrs. HILLSGROVE. No; I do not think I know him at all.

Mr. ARENS. Do you know a man by the name of Herbert Philbrick?

Mrs. HILLSGROVE. Privilege. I don't know him.

Mr. ARENS. Then why did you say "privilege"?

Mrs. HILLSGROVE. I really—pardon me.

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. As far as Philbrick is concerned, to the best of my knowledge, I do not know him.

Mr. ARENS. Do you know a man by the name of Nathaniel Mills?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Do you know a man by the name of Dave Rosenberg?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. The fact is, ma'am, that Dave Rosenberg, secretary of the Communist Party, and Nathaniel Mills and you organized the New England Committee for Protection of Foreign Born; isn't that true? If it isn't, deny it while you are under oath.

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Now I lay before you a document which is a reproduction of the Lamp, the official publication of the American Committee for Protection of Foreign Born for June-July 1950. I invite your attention to an article here with reference to the New England Committee for Protection of Foreign Born. Kindly look at this article and tell us whether or not you are, or have been, identified with the New England Committee for Protection of Foreign Born.

(See exhibit No. 15, appendix, p. 7112.)

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. MOULDER. I understand the witness, in response to your question, took the fifth amendment and declined to answer, claiming the privilege under the fifth amendment.

Mr. ARENS. Now, I lay before you a photostatic reproduction of an application for a post office box dated March 23, 1953. The post office box for the New England Committee for Protection of Foreign Born. This application for this post office box is signed by Ruth E. Hillsgrove. Please look at it and tell us whether or not that is your signature.

(Document marked "Exhibit No. 203," see appendix, p. 7454.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Do you honestly feel that if, while you are under oath here, you told this committee whether or not that is your signature, in applying for the post office box for the New England Committee for Protection of Foreign Born, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. It might have such a tendency.

Mr. ARENS. Would you kindly sign your name to this pay voucher, which is the document pursuant to which you will receive your witness fee and travel allowance?

Mrs. HILLSGROVE. May I quote?

Mr. LEVITAN. Yes, you may quote.

Mrs. HILLSGROVE. Under article 15—

The CHAIRMAN. We will withdraw the request and let the record show that after the voucher has been signed it will be incorporated as a part of the record.

Mr. ARENS. The chairman has stated that after you do sign it after these immediate proceedings, your signature will be incorporated in the record and we will be able to compare the signatures.

(Document marked "Exhibit No. 204," see appendix, p. 7455.)

Ma'am, you were succeeded as an official of the New England Committee for Protection of Foreign Born by Olive Sutton; were you not?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Do you know Olive Sutton?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. I lay before you now a photostatic copy of the records of the Post Office Department of September 23, 1954, in which there is a notation that the Post Office has been advised that Olive Sutton was to take over the custody of the post office box for the New England Committee for Protection of Foreign Born. Look at that and see if it refreshes your recollection as to any arrangements you may have had with Olive Sutton.

(Document marked "Exhibit No. 205," see appendix, p. 7456.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. I lay before you a document, which is a reproduction of a page of the Lamp—page 3, October–November issue, 1951—of the American Committee for Protection of Foreign Born, the article here entitled "Boston To Expand Its Committee Work."

Shortly after Thanksgiving a special meeting will be held in Boston to plan activity around local cases. Delegates will be elected to attend the 20th anniversary convention.

Kindly look at this document and tell us whether or not you were a participant in that work of the committee and the convention.

(See exhibit No. 20, appendix, p. 7119.)

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. May I ask who types these dates in here at the top of the page?

Mr. ARENS. A member of the staff.

Mrs. HILLSGROVE. Why isn't the date on this copy?

Mr. ARENS. It is only on the cover, ma'am.

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

The CHAIRMAN. Date or no date, fifth amendment. Proceed.

Mr. ARENS. Now I invite your attention to a document: Stanley Nowak speaks on the repeal of the Walter-McCarran Act—former State senator, leader of the Polish-American people—all held in Boston under the auspices of the New England Committee for Protection of Foreign Born.

Kindly look at this document and tell us whether or not you were a participant in arranging this affair where Stanley Nowak made his address.

(Document marked "Exhibit No. 206," see appendix, p. 7457.)

Mrs. HILLSGROVE. Fifth.

Mr. ARENS. What is the address of your home?

Mrs. HILLSGROVE. I just gave it, 408 School Street.

Mr. ARENS. Did you ever live at 130 Myrtle Street?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. LEVITAN. May I see that form, please?

Mr. ARENS. I respectfully suggested that the witness be ordered and directed to answer whether or not she ever lived at 130 Myrtle Street.

The CHAIRMAN. You are directed to answer the question. Did you ever live at 130 Myrtle Street?

Mrs. HILLSGROVE. May I see that first myself?

Mr. ARENS. Can't you just tell this committee whether or not you ever lived at 130 Myrtle Street?

Mrs. HILLSGROVE. I didn't see it.

The CHAIRMAN. Did you ever live at 130 Myrtle Street?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Yes; I did.

Mr. ARENS. Did you live in apartment No. 7 at 130 Myrtle Street?

Mrs. HILLSGROVE. I can't recall. It may have been 7.

Mr. ARENS. Do you think it might be a coincidence only that this meeting addressed by Stanley Nowak under the auspices of the New England Committee for Protection of Foreign Born, according to this document, was held at 130 Myrtle Street?

Mrs. HILLSGROVE. May I see that, sir?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Have you any comments or observations as to the coincidence that the New England Committee for Protection of Foreign Born would have a session for the repeal of the Walter-McCarran Act, with Stanley Nowak addressing it, at the same address where you lived, 130 Myrtle Street?

Mrs. HILLSGROVE. May I just look at that again, please?

Mr. ARENS. Yes, ma'am. Just please tell us if there seems to be only a coincidence or if there is something that might be of some significance.

(The witness conferred with her counsel.)

Mr. LEVITAN. Can you please repeat the question?

(Question read.)

Mrs. HILLSGROVE. The facts are in the statement right here. May I read this?

Mr. ARENS. Yes.

Mrs. HILLSGROVE. "Entertainment, Friday evening, March 13, 8 p. m." It doesn't give the year. "Dome Room, Hotel Touraine, corner Boylston and Tremont Streets, Boston. Admission free. Auspices New England Committee for Protection of Foreign Born," and the mailing address 130 Myrtle Street.

Mr. ARENS. Let us just get to the specifics. Is there just a coincidence that this leaflet has the New England Committee for Protection of Foreign Born identified as being at 130 Myrtle Street?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. And that was your home?

Mrs. HILLSGROVE. Fifth amendment.

The CHAIRMAN. Where were you employed in 1953?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. We have been talking about the New England Committee for Protection of Foreign Born. I would like to invite your attention to the Massachusetts Committee for the Revision of the McCarran-Walter Immigration and Naturalization Act. Have you ever been identified with that organization?

(The witness conferred with her counsel.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Is there any interlocking relationship between the New England committee—

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Why don't you wait until I finish the question?

Any interlocking relationship between the New England Committee for Protection of Foreign Born with which these exhibits identify you and the Massachusetts Committee for the Revision of the McCarran-Walter Immigration and Naturalization Act?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Look at the letterhead of this organization and tell us how many of the people on the Massachusetts Committee for the Revision of the McCarran-Walter Immigration and Naturalization Act are personally known to yourself.

(Document marked "Exhibit No. 207," see appendix, p. 7458.)

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. In December of 1953 there was a conference, according to this record which we have already made in the last 2 or 3 days, held in Chicago, Ill., a National Conference to Repeal the Walter-McCarran Law and Defend Its Victims. Among the people participating in that conference representing Massachusetts was a woman by the name of Frances Hood. Do you know Frances Hood?

(See exhibit V, appendix, pp. 8337-8371.)

Mrs. HILLSGROVE. I am confused. What did you say?

Mr. ARENS. Do you know a lady from Massachusetts by the name of Frances Hood?

Mrs. HILLSGROVE. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (Brief recess.)

The CHAIRMAN. The committee will be in order.

Call your next witness.

Mr. ARENS. Mike Gates, please come forward.

(No response.)

Mr. ARENS. Counsel, is Mr. Gates here?

Mr. LEVITAN. He is, sir. May I speak with Mr. Walter on the side about this matter?

(Off the record.)

Mr. ARENS. Frances Gabow, please come forward.

Please remain standing while the chairman administers an oath.

The CHAIRMAN. Do you swear the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GABOW. I do.

TESTIMONY OF MRS. FRANCES GABOW, ACCOMPANIED BY COUNSEL, A. HARRY LEVITAN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. GABOW. My name is Frances Gabow, and I live at 2119 North Natrona Street in Philadelphia.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. GABOW. Yes.

Mr. ARENS. You are represented by counsel?

Mrs. GABOW. Yes.

Mr. ARENS. Kindly identify yourself, Counsel.

Mr. LEVITAN. A. Harry Levitan, 1412 Fox Building, Philadelphia 3.

Mr. ARENS. Have you ever had your name changed from some other name to Gabow?

Mrs. GABOW. Yes. We had it changed by court order.

Mr. ARENS. What was your name prior to the time it was changed?

Mrs. GABOW. Jaffe, J-a-f-f-e.

Mr. ARENS. Are you a Communist?

(The witness conferred with her counsel.)

Mrs. GABOW. I would like to invoke the first and the fifth amendments, and I would like to quote my reasons why from the Story of the Constitution, published by the United States Constitution Sesquicentennial, House Office Building, Washington, D. C., copyrighted July 28, 1937.

The first amendment relating to religion, free speech, right of assembly, and petition, debars Congress from establishing a religion or prohibiting free exercise of religion or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the Government for redress of grievances.

And on the fifth amendment I quote:

The fifth amendment protects the citizens against double jeopardy, self-incrimination, deprivation of life, liberty, or property without due process of law—

The CHAIRMAN. What did you say, self what?

Mrs. GABOW. This says; I am quoting:

Self-incrimination, deprivation—

The CHAIRMAN. What after "self-incrimination"?

Mrs. GABOW. Pardon?

The CHAIRMAN. After "self-incrimination," what does it say?

Mrs. GABOW (reading):

Deprivation of life, liberty, or property without due process of law, and loss of property taken for public use.

Mr. ARENS. You are not reading the Constitution. You are reading someone's interpretation; is that correct?

Mrs. GABOW. I am reading from the Story of the Constitution, issued by the United States Constitutional Sesquicentennial Commission, published by Sol Bloom at the House Office Building, Washington, D. C., and copyrighted in 1937, July 28.

Mr. ARENS. Do you know a person by the name of Herman Thomas?

Mrs. GABOW. Privilege.

Mr. ARENS. What do you mean, privilege?

Mrs. GABOW. Under the first and fifth amendments.

The CHAIRMAN. Do you mean by that that you refuse to answer the question?

Mrs. GABOW. Yes.

The CHAIRMAN. All right.

Mr. ARENS. Mr. Thomas, would you kindly resume the witness stand for just a minute?

TESTIMONY OF HERMAN THOMAS—Resumed

Mr. ARENS. You were sworn earlier today, were you not. Mr. Thomas?

Mr. THOMAS. Yes, sir; I was.

Mr. ARENS. Mr. Thomas, during the course of your membership in the Communist Party, as an undercover agent for your Government, serving the Federal Bureau of Investigation, did you have occasion to know a person by the name of Frances Gabow, G-a-b-o-w?

Mr. THOMAS. I knew a person by the name of Frances while I was a member of the Communist Party working for the United States Government.

Mr. ARENS. Did you know that person as a Communist?

Mr. THOMAS. Yes, sir; I did.

Mr. ARENS. Do you see that person, whom you knew as Frances, in the hearing room today?

Mr. THOMAS. Yes, sir. She is seated to my right.

Mr. ARENS. Thank you.

Just remain seated for just a moment, please, Mr. Thomas, until we give Mrs. Gabow an opportunity to look you in the face and be confronted with you and deny if she cares to do so.

Mrs. Gabow, you just heard the testimony of Mr. Thomas, as given under oath, when he identified you as a person known by him to have been a Communist. Was he lying or telling the truth?

Mrs. GABOW. My privilege under the fifth.

Mr. ARENS. Mr. Thomas, how did you know, under what circumstances did you know, this lady seated to your right as a Communist?

Mr. THOMAS. I had attended several closed meetings of the Communist Party with Frances, but one of the latest occasions I had was after the party went underground in September of 1950 when I met her and another member of the Communist Party at an affair at Nature Friends Camp near Valley, Pa., where I made arrangements with

the other person to pick up Communist Party literature in Philadelphia, inasmuch as they weren't using the mails.

I made arrangements to meet Frances on Market Street, near Fourth and Market, at the Horn & Hardart Restaurant. I was there on time and met her, and she didn't have the literature. She said she was afraid that she was being followed. I then took her in my car back to, I think it is Spruce and Broad, where she went up to the Communist Party headquarters, 250 South Broad, and brought down the Communist Party literature for me to take back to the Lehigh Valley section of the Communist Party.

Mr. ARENS. Was this lady, seated next to you, a member of the Communist Party underground in 1950?

Mr. THOMAS. I don't know if she was a member of the Communist Party underground, but she was a member of the Communist Party.

Mr. ARENS. Now, Mrs. Gabow, do you care to deny this testimony while you are under oath?

Mrs. GABOW. I wish to invoke the fifth.

Mr. ARENS. Thank you, Mr. Thomas.

TESTIMONY OF MRS. FRANCES GABOW—Resumed

Mr. ARENS. Now, Mrs. Gabow, I lay before you a couple of photographs. We have used these photographs in this proceeding before, and they have been identified previously—one is exhibit No. 162 and the other is exhibit No. 164. (See appendix, pp. 7389, 7391.) I believe you will find your picture in them. These are photographs of a picketing of the House Committee on Un-American Activities when it was in Philadelphia in 1952. Kindly look at these photographs and see if you can point out your picture to the committee in this picketing of the House Committee on Un-American Activities.

Mrs. GABOW. I wish to invoke the fifth amendment.

Mr. ARENS. Now, Mrs. Gabow, in 1953 did you ever have occasion during that year to be in the State of Illinois, the city of Chicago?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question whether or not you have been in the State of Illinois.

Mr. LEVITAN. In what year?

Mr. ARENS. In 1953, in Chicago.

Mr. LEVITAN. Did you mention the month?

Mr. ARENS. No; I didn't.

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Is the record clear that she has been ordered and directed to answer that?

The CHAIRMAN. Yes.

Mr. ARENS. Mrs. Gabow, I have a document in my hand, which has been identified in this record, of the National Conference to Repeal of the Walter-McCarran Law and Defend Its Victims, in Chicago, Ill., December 12 and 13, 1953. This is a summary of the proceedings. The nominating committee chairman, according to this document, is Mrs. Frances Gabow, of Philadelphia. Look at this document and tell us whether or not that is a true and accurate description of you

and your station in that conference. It is about the second paragraph there, ma'am.

See exhibit V, appendix, pp. 8337-8371.)

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Now, Ma'am, I lay before you a mimeographed press release of a Committee to Repeal the Walter-McCarran Law and to Protect the Foreign Born, in Philadelphia. Kindly tell this committee what you had to do with the preparation of that press release or with that organization.

(Document marked "Exhibit No. 208," see appendix, p. 7459.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Here is an exhibit I would like to have your special attention to, if you please. It is a resolution memorializing the United States Congress with respect to the modification of the provisions of the National Immigration Act. According to the face of this document, it was passed by the city council of Philadelphia, but at the bottom of the document we see it is reprinted as a public service by the Committee to Repeal the Walter-McCarran Law and Protect the Foreign Born, 1001 Chestnut Street, Philadelphia 7, Pa. Tell us whether or not you have ever seen that document before.

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Did the Committee to Repeal the Walter-McCarran Law and Protect the Foreign Born make representations to the city council of Philadelphia and undertake to persuade the city council of Philadelphia to pass this resolution condemning the Walter-McCarran Immigration Act?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Are you, or have you ever been, connected with the Committee to Repeal the Walter-McCarran Act?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. In 1948, you were membership director of the student section of the Communist Party, were you not?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. As a matter of fact, in January of 1949 you were organizer of section 7, district 3, Communist Party, were you not?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Have you ever been to April Farms in Pennsylvania, in Bucks County?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Is there a place called April Farms?

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. As a matter of fact, you chartered two buses from the Mertz-White Lines to carry Communist Party members to a big rally held in 1949 at the April Farms, isn't that true?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. In September of 1949 you were in attendance at a district meeting of the Communist Party, district 3 at Reynolds Hall in Philadelphia; were you not?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Who is Dave Davis?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Dave Davis in this meeting introduced you, did he not, and he said, and I quote:

Most of you, I believe and I hope, heard the appeal of Comrade Foster to the American people for the need for support of the fight for freedom of the 12. Our party has prepared an answer to this letter and at this time I would like to call on Frances Gabow, secretary of the Fourth Congressional District of our party, to read the answer to Comrade Foster.

Is that a truthful presentation of what happened?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Where were you born?

Mrs. GABOW. In Philadelphia.

Mr. ARENS. When?

Mrs. GABOW. In 1920.

Mr. ARENS. Where were you educated?

Mrs. GABOW. I went to primary schools in Philadelphia, New York, and New Jersey, and through high school in New York.

Mr. ARENS. And when did you complete your high-school education?

Mrs. GABOW. I did not complete. I left school to go to work.

Mr. ARENS. When did you leave school to go to work, to your best recollection, the approximate time?

Mrs. GABOW. Probably about 1936 or 1937.

Mr. ARENS. What was your first job after you left school to go to work?

Mrs. GABOW. Clerical work in an office.

Mr. ARENS. What office?

Mrs. GABOW. I honestly don't remember.

Mr. ARENS. What was your next principal employment?

(The witness conferred with her counsel.)

Mrs. GABOW. I worked on a number of jobs for short periods of time. Jobs were a little difficult to get at that time. I took waitress work, as well as part-time office work, in a number of places. So I didn't keep any one job for any lengthy period of time.

Mr. ARENS. Let's try it another way. What has been your last principal employment?

Mrs. GABOW. Here again I have been working part-time and have not—

Mr. ARENS. Where?

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. When were you last employed?

(The witness conferred with her counsel.)

Mr. LEVITAN. Do you mean when did she last get a job?

Mr. ARENS. When was she last employed, yes, sir.

Mr. LEVITAN. Where did she last get a job?

Mr. ARENS. When was she last employed?

(The witness conferred with her counsel.)

Mr. ARENS. When. She understands, if you don't. When were you last employed?

Mrs. GABOW. The time, you mean?

Mr. ARENS. Yes, when.

Mrs. GABOW. A month ago.

Mr. ARENS. And where?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. How long were you employed in this place concerning which you can't tell us without giving information which could be used in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. GABOW. Fifth amendment.

Mr. ARENS. What was your employment immediately prior to this last employment concerning which you can't tell us?

(The witness conferred with her counsel.)

Mrs. GABOW. I didn't work for a period of time, a long period of time. I was ill before that.

Mr. ARENS. Have you ever worked in Communist Party headquarters in Philadelphia?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Are you now a Communist?

Mrs. GABOW. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. The witness is excused.

The committee will adjourn subject to call of the chairman.

(Whereupon, at 4 p. m., Wednesday, November 14, 1956, the committee was recessed subject to call.)

COMMUNIST POLITICAL SUBVERSION

WEDNESDAY, NOVEMBER 28, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,

SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Youngstown, Ohio.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess, in the United States District Court Building, Youngstown, Ohio, Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Harold H. Velde, of Illinois.

Staff members present: Richard Arens, director; George C. Williams and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. WILLIS. The subcommittee will come to order.

Counsel will call the first witness of the day.

Mr. ARENS. Mrs. Elsie Zazrivy. Please come forward, Mrs. Zazrivy, and remain standing while the chairman administers the oath to you.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ZAZRIVY. I do.

TESTIMONY OF MRS. ELSIE ZAZRIVY, ACCOMPANIED BY COUNSEL, HYMEN SCHLESINGER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. ZAZRIVY. My name is Mrs. Elsie Zazrivy.

Mr. VELDE. What was the name, again?

Mrs. ZAZRIVY. Elsie Zazrivy. I live at 4132 Brookside Boulevard, Cleveland, Ohio. I am an office worker.

Mr. SCHLESINGER. Mr. Chairman—

Mr. ARENS. And in what office do you work?

Mrs. ZAZRIVY. I work at Manning, Maxwell & Moore.

Mr. ARENS. And where is that located?

Mrs. ZAZRIVY. In Cleveland, Ohio.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. ZAZRIVY. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mrs. ZAZRIVY. Yes, I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. SCHLESINGER. My name is Hymen Schlesinger, of Pittsburgh, Pa. I am a member of the Allegheny County Bar Association and a member of the various courts, both State and Federal.

Mr. ARENS. Mrs. Zazrivy—

Mr. SCHLESINGER. May I ask, Mr. Chairman and counsel, I do not know the procedure. Am I to sit beside the witness?

Mr. ARENS. You may sit beside the witness, and, as you probably know, the sole and exclusive prerogative of yourself as counsel is to advise the witness as to her constitutional rights.

Mrs. Zazrivy, the subpoena which was served upon you calls for you to produce certain books and other records, documents, of the Ohio Committee for Protection of Foreign Born; does it not?

Mrs. ZAZRIVY. Yes, it does.

Mr. ARENS. Are you the custodian of those records, books, and documents, alluded to in the subpoena?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Why?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. It may tend to incriminate me.

Mr. ARENS. What do you mean?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. Under the Constitution, I am not required to testify against myself.

Mr. ARENS. Do you honestly feel that if you told this committee, while you were under oath, truthfully whether or not you are the custodian of the records of the Ohio Committee for Protection of Foreign Born, you would be supplying information that could be used against you in a criminal proceeding?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I invoke the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the last question.

Mr. WILLIS. You are ordered to answer that question.

The question is a test of whether or not you are honestly invoking the provision of the Constitution to which you refer.

(Witness conferred with counsel.)

Mr. WILLIS. You are ordered to answer it.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I am invoking the fifth amendment honestly because I believe that it might incriminate me, and the Constitution says that I may invoke the fifth amendment.

Mr. ARENS. Mrs. Zazrivy, my associate here this morning, Mr. Appell, is laying before you a document which is a reproduction of the April-May 1952 issue (p. 3) of The Lamp, the official publication of the American Committee for Protection of Foreign Born.

Mr. WILLIS. What is the name of the issue?

Mr. ARENS. The Lamp.

Mr. WILLIS. L-a-m-p?

Mr. ARENS. Yes, sir.

In that page which is reproduced, and which is now before you, there is an article which we have marked there with respect to the establishment of an Ohio Provisional Committee for Protection of Foreign Born, and this document shows yourself, Elsie Zazrivy, as acting secretary.

Kindly look at that document and tell this committee, while you are under oath, whether that is a true and correct representation of your status in connection with the Ohio Provisional Committee for Protection of Foreign Born. (See exhibit No. 17, appendix, p. 7116.)

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I invoke the fifth amendment.

Mr. ARENS. Mr. Appell is going to lay before you a photostatic copy of the Cleveland Plain Dealer of Monday, February 3, 1941, page 10, concerning the organization meeting of the Ohio Committee for Protection of Foreign Born.

Please look at that article and tell us whether or not you possess any knowledge of this meeting.

(Document marked "Exhibit No. 209," see appendix, pp. 7460, 7461.)

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I invoke the fifth amendment.

Mr. ARENS. Now, Mr. Appell is going to lay before you still another document, which is a reproduction of the Cleveland Plain Dealer of January 17, 1941 (pp. 1 and 4) and I invite your attention to a story which is headed "Busch Cites Communist Tinge as Civic Leaders Ditch 'Foreign-Born Aid'."

In that article, the first paragraph, you read that one Dr. Henry Miller Busch, professor of Cleveland College, withdrew his support from the then existing Ohio Committee for Protection of Foreign Born as it was formed in 1941 and branded one of the statements of the committee as being typical of the Daily Worker and organizations and individuals affiliated with the Communist cause.

Was this description by Dr. Busch true and accurate of the Ohio Committee for Protection of Foreign Born?

(Document marked "Exhibit No. 210," see appendix, pp. 7461, 7462.)

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. In 1949 you were financial secretary or financial director of the Cuyahoga County section of the Communist Party; were you not?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Appell is now going to lay before you a document which is a reproduction of the February-March 1950 issue of The Lamp (p. 2), the official publication of the [American] Committee for Protection of Foreign Born. I would like to ask you if you were active in the creation of a citywide council for protection of foreign born in Cleveland as announced in the issue of The Lamp which is now before you?

(See exhibit No. 9, appendix, p. 7102.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. WILLIS. While on that subject, Counsel, it is a fact, is not not, that the [American] Committee for Protection of Foreign Born was one of the oldest communistic outfits in the United States?

Mr. ARENS. That is correct, Mr. Chairman.

Mr. WILLIS. And they usually operate under fancy names that might appeal to the gullible and the innocent, and that is why they use that fancy name, the Protection of Foreign Born; is that correct?

Mr. ARENS. That is correct; yes, sir.

Mr. VELDE. Mr. Chairman, I think it might be a good idea to put the citation of the American Committee for Protection of Foreign Born into the record. (See p. 6628 of testimony.)

Mr. WILLIS. Do you mean the citation of that committee by the Department of Justice?

Mr. ARENS. And by other Government agencies; yes, sir.

I might also at this point say that the procedure which I am presently following is to establish, by these documents, the relationship of this witness to the Ohio Committee for Protection of Foreign Born.

She is under a subpoena duces tecum demanding her to produce the records of that organization. She has invoked the fifth amendment with reference to any affiliation or connection with that organization, and if, by the incorporation in our record, we show her identity as the officer in charge of the records of the Ohio Committee for Protection of Foreign Born, she is then under a mandate of the law to produce the records.

There are an abundance of judicial decisions on that.

The very next document, I believe, will help clarify the status of the record in that respect.

Mrs. Zazrivy, Mr. Appell will show you a document, a photostatic reproduction of a mimeographed letter of the Ohio Committee for Protection of Foreign Born, and on this letter there is a signature of Elsie Zazrivy as secretary of the Ohio Committee for Protection of Foreign Born.

I want you to look at this document and, while you are under oath, to verify the authenticity of that signature.

(Witness conferred with counsel.)

(Document marked "Exhibit No. 211," see appendix, p. 7463.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Appell will lay before you a pay voucher, which is necessary for you to sign in order to procure your witness fee here. He will point to the place where you are to sign. I ask you to affix your signature to that pay voucher now.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I decline to sign any document that may be used against me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness shall affix her signature to a pay voucher claiming witness fees, that part of the voucher bearing her signature be incorporated in this record.

Mr. WILLIS. That is so ordered.

(Witness waived reimbursement of expenses by refusing to sign voucher.)

Mr. ARENS. Now, Mr. Chairman, this record reflects at the present time that a person by the name of Elsie Zazrivy is secretary, or was secretary at the latest date on which we can find documents, of the Ohio Committee for Protection of Foreign Born.

We have asked this witness whether or not she is secretary and custodian of certain records, and she has invoked the protection of the fifth amendment. As secretary of the Ohio Committee for Protection of Foreign Born, and as custodian of the records, she is under a mandate of this committee to produce certain records.

I respectfully suggest, therefore, that this record now reflect an order, in view of the record that we have thus far established, against Mrs. Zazrivy that she forthwith produce the records called for in the subpoena duces tecum—records, documents, and books of the Ohio Committee for Protection of Foreign Born.

(Witness conferred with counsel.)

Mr. WILLIS. You are ordered to comply with the demand made by counsel of this committee pursuant to the subpoena duces tecum that was served upon you, as you have acknowledged it was served upon you.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. Without admitting or denying that I have ever been connected with the Ohio Committee for Protection of Foreign Born, I am now producing these papers in response to the order.

Mr. ARENS. Do you have your subpoena with you?

Mrs. ZAZRIVY. No, I don't.

Mr. ARENS. The subpoena duces tecum which was served upon you, Mrs. Zazrivy, requires the production of all correspondence between the Ohio Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born, does it not?

(Witness conferred with counsel.)

Mr. ARENS. That is a matter of the record of the committee. Have you produced now all of the correspondence in your custody and control between the Ohio Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born?

(Witness conferred with counsel.)

Mr. WILLIS. I think the witness should be warned that she is under oath. We want to be perfectly fair, but at the same time very firm. Counsel must realize the significance of this question.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I am not now the secretary of the Ohio Committee for Protection of Foreign Born. There is no such committee to my knowledge, and this is all the material that I could find, and this is what I understood the subpoena to mean.

Mr. ARENS. Where did you find this material?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question. She has opened the door of this inquiry by saying this is all she could find. The natural sequence of events and questions would be where did she find it.

I respectfully request and suggest that she be ordered and directed to answer this question.

Mr. WILLIS. She is so ordered.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I found this in my home.

Mr. ARENS. Where in your home did you find it?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. WILLIS. You are directed to answer the question.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. This was in the basement of my home.

Mr. ARENS. Were there any other documents in the basement of your home pertaining to the Ohio Committee for Protection of Foreign Born other than these documents which you have just given to the Committee on Un-American Activities?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. Well, I tried to bring whatever the subpoena called for.

Mr. ARENS. Answer the question, please. Are there any other documents pertaining to the Ohio Committee for Protection of Foreign Born which are in your custody and control at your home, other than those documents which you have today transferred to the Committee on Un-American Activities?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. There are other leaflets concerning it, of the same type that I brought here, but I did not believe that they were what the committee called for.

Mr. ARENS. Is there other correspondence of the Ohio Committee for Protection of Foreign Born between it and the American Committee for Protection of Foreign Born?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. Not pertaining to anything in reference to what the committee called for.

Mr. ARENS. Are there any membership lists?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. No; there are no such lists.

Mr. ARENS. How long have these documents been in your home?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Where did you get these documents? By "these documents," I am alluding to those which you have transferred to the custody of the committee.

Mrs. ZAZRIVY. How do you mean?

Mr. ARENS. Where did you get them? How did they happen to be in your home?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Do you have any financial records?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Are there financial records of the Ohio Committee for Protection of Foreign Born in your home?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Does the subpoena duces tecum call for the production of financial records of the Ohio Committee for Protection of Foreign Born?

Mrs. ZAZRIVY. Not to my knowledge.

Mr. ARENS. You said a little while ago that the Ohio Committee for Protection of Foreign Born is no longer in existence; is that correct?

Mrs. ZAZRIVY. That is correct; to my knowledge.

Mr. ARENS. When did it go out of existence?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. WILLIS. Yes, because you have opened the door. By your answer a while ago, you said it was no longer in existence. You used it as a sword, and now you cannot use it as a shield.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment on any past connections or activities.

Mr. ARENS. Mr. Chairman, I respectfully suggest this record reflect the order to this witness to answer the question as to when the Ohio Committee for Protection of Foreign Born went out of existence.

Mr. WILLIS. Yes. That is the only pending question, and you are ordered to answer it.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I don't know the exact date, but it is approximately a year and a half or 2 years ago.

Mr. ARENS. And who were the officers of that organization when it went out of existence?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I haven't admitted any connection with the committee and I claim the fifth amendment.

Mr. ARENS. Is there a successor organization?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Do you know whether or not there is a successor organization to the Ohio Committee for Protection of Foreign Born?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Now, I want you to be specific in identification of each of these documents which you have thus far turned over to the Committee on Un-American Activities. I have marked the first one "Exhibit No. 212 a, b".

Exhibit 212 a, b is a call to a Conference to Repeal the Walter-McCarran Law and Defend Its Victims, Sunday, March 14, 1954, the Ukrainian Labor Temple. It is a leaflet issued by the Ohio Committee for Protection of Foreign Born, 5713 Euclid Avenue.

In this leaflet which you have turned over to the committee is listed Elsie Zazrivy, Z-a-z-r-i-v-y, as secretary. Look at this document and tell this committee if that is a document which you have produced from your home and transmitted to this committee pursuant to the terms of the subpoena duces tecum.

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question. It is perfectly apparent that is one of the documents in this envelope she has just handed us. She has, by her own testimony heretofore, said she is transmitting documents which she procured from her home pursuant to the terms of the subpoena duces tecum, and any declination on her part now to identify the particular document as one of the documents in the gross parcel which she transmitted to us would be purely capricious and contemptuous.

Mr. WILLIS. You are directed to answer the question.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I have not produced this material voluntarily. I have produced it at the behest of the committee.

Mr. ARENS. Is that document presently before you which I have marked—counsel's sole and exclusive right is to advise his client—is that document which is presently before you, which I have marked "Exhibit No. 212 a, b," one of the documents which you procured from your home and produced before this committee, pursuant to the terms of the subpoena duces tecum?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. She has been ordered to answer it already.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I have not produced this document voluntarily. I produced it because of an order of the committee.

Mr. ARENS. Produced what?

Mrs. ZAZRIVY. This document.

Mr. ARENS. By "this document," do you mean exhibit 212 a, b?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. If that is the document that you produced from the envelope.

Mr. ARENS. Well, is that document presently before you, which I have marked "Exhibit 212 a, b," one of the documents which you procured from your home and transmitted to this committee?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. Something similar to this I brought.

Mr. ARENS. Do you recognize that particular document?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. If that is the document that you took from the envelope, that is exhibit A. (Exhibit No. 212 a, b.)

Mr. ARENS. I lay before you a document which we are now marking "Exhibit No. 213." It is a postcard. [Reading:]

"We must have freedom of speech, press, and religion for all or we may eventually have it for none." * * * Defend the rights of the foreign-born and you defend your own! Hear Abner Green, Executive Secretary of the American Committee for Protection of Foreign Born, Monday, May 19, 1205 Superior Avenue.

Look at that card and tell us whether or not that is one of the documents which you found in your home pursuant to the terms of the subpoena duces tecum, and produced before this committee.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. This was produced by order of the committee. I claim the fifth amendment.

Mr. ARENS. Is that one that you did produce pursuant to the order of the committee? That is all I am asking.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. It appears to be.

Mr. ARENS. Now Mr. Appell is laying before you still a third document, which he has marked "Exhibit No. 214 a-d." It is an advance credential to a Conference to Repeal the Walter-McCarran Law, Sunday, March 15, 1953, the Ukrainian Labor Temple, in Cleveland, under the auspices of the Ohio Committee for Protection of Foreign Born.

I ask you if this is one of the documents which was produced by you?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment, because I have not produced this voluntarily, but on order of the committee.

Mr. ARENS. But did you produce it, irrespective of the nature of the compulsion?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mrs. ZAZRIVY. It appears to be.

Mr. ARENS. And Mr. Appell is now laying before you a document taken from this bundle that you just handed us, which we are marking "Exhibit No. 215," which is the letterhead of the Ohio Committee for Protection of Foreign Born, under date of March 6, 1954, with reference to another conference on repealing the Walter-McCarran Act. Please identify that.

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment. I did not bring this document voluntarily, but at the insistence of the committee.

Mr. ARENS. We have a number of documents, counsel, and I think we could simplify it if she would say what she wants to say there.

Mr. SCHLESINGER. Will you accept the same answer to each document, namely, the fifth amendment?

Mr. ARENS. It would not hurt to say whether she produced the documents or not.

Mr. SCHLESINGER. We will save time, say the same answer to each exhibit, and that she is answering only upon order of the committee.

Mr. ARENS. Is she likewise saying in each instance that this is a document which she produced under the compulsion of the subpoena duces tecum?

Mr. SCHLESINGER. The same answer. I think she said it appears to be.

Mr. ARENS. Mr. Appell will lay before you each of the several documents which we are marking as exhibits in numerical order.

(Documents marked "Exhibits Nos. 216-222.")

Mrs. ZAZRIVY. The same answer.

Mr. ARENS. Does that apply to each and every document which he is now exhibiting to you?

Mrs. ZAZRIVY. I want it understood that I am testifying only on order of the committee.

Mr. ARENS. We understand that.

Mr. WILLIS. In order to clarify the record, in view of the statement that these documents "appear to be," let it be noted by the counsel and by the members of this committee that those are the documents that came out of that envelope.

Mr. ARENS. I think it would even clarify the record if you would care to take 2 minutes to swear Mr. Appell who was the recipient of these documents a moment ago.

Mr. Appell, would you kindly raise your hand?

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APPELL. I do.

TESTIMONY OF DONALD T. APPELL, INVESTIGATOR, COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES

Mr. ARENS. State your full name, residence, and occupation.

Mr. APPELL. Donald T. Appell, investigator, Committee on Un-American Activities, House of Representatives.

Mr. ARENS. Mr. Appell, did you, in the course of the last half hour or so, in the proceeding now pending, receive from the witness, Elsie Zazrivy, certain documents?

Mr. APPELL. I did. They were turned over to me by Mrs. Zazrivy in a brown envelope. I removed the documents, which are now being exhibited to her from that envelope, and turned them over to you. These are the same documents which are now being exhibited to her.

Mr. ARENS. And are these the documents which you marked for display to Mrs. Zazrivy?

Mr. APPELL. That is true.

Mr. ARENS. And are numbered from 212 down to—

Mr. APPELL. I still have two more to mark. It will be exhibit 222.

Mr. ARENS. Thank you.

Mr. Chairman, I respectfully suggest that each and every one of these documents be incorporated in the record.

Mr. WILLIS. They will be so incorporated and marked.

(See exhibits Nos. 212-222, appendix, pp. 7464-7480.)

TESTIMONY OF MRS. ELSIE ZAZRIVY—Resumed

Mr. ARENS. Mrs. Zazrivy, Mr. Appell is going to display to you still another document. It is written on the letterhead of the Ohio Committee for Protection of Foreign Born.

Mr. WILLIS. Now you are getting away from documents in the envelope?

Mr. ARENS. Yes, sir. Those have all been incorporated now.

This is on the letterhead of the Ohio Committee for Protection of Foreign Born, dated January 14, 1953, with a signature "Elsie Zazrivy," and the body of the letter contains, among other language, the following:

The decision we made in Detroit to hold an Ohio Conference to defeat the Walter-McCarran Law is getting off the paper stage and into the actual planning stage.

Then it tells certain tactics to be followed in the repeal of the Walter-McCarran law.

Please look at that letter and tell us if you can verify the authenticity of your signature. (See exhibit No. 136, appendix, p. 7331.)

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Did you write that letter?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. What have you done in the course of the last few years in the realm of immigration matters or aid to aliens?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Is all that you have done and all that the Ohio Committee for Protection of Foreign Born has done of such a nature that if you told this committee about it, you would be supplying information which could be used against you in a criminal proceeding?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Did you attend that conference in Detroit where plans were laid for assault on the immigration laws of this country?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. I lay before you still another document. It is the Ohio Defender, issued by the Ohio Provisional Committee for Protection of Foreign Born, under date of February 1953—"March 15 set for 'repeal the Walter-McCarran Law Conference'." There is a big conference, according to this, to be held in Cleveland, at which a number of people are to speak.

Please look at this and tell us if you can verify the authenticity of the existence of this conference and whether or not you participated in it.

(Document marked "Exhibit No. 223a, b," see appendix, pp. 7481, 7482.)

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Was that conference of such nature that if you told us about it you would be supplying information that could be used against you in a criminal proceeding?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Who was Sentner? Do you know him?

(Witness conferred with counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. He was a Communist up for deportation, was he not?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. I want to lay before you still another document, a press release from the Ohio Committee for Protection of Foreign Born.

A call has been sent out to organizations and individuals throughout the state of Ohio for a Conference to Repeal the Walter McCarran Law and Defend its Victims * * * to be held at the Ukrainian Labor Temple—

at which one of the activities, according to this memorandum, is to watch a film, "The Sentner Story."

Look at that document and tell us whether or not you were a participant in setting up that conference.

(Document marked "Exhibit No. 224," see appendix, p. 7483.)

(Witness conferred with counsel.)

Mr. ARENS. In connection with that, Mr. Appell will also display to you the call and leaflet of the conference itself.

(See exhibit No. 212a, b, pp. 7464, 7465.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. If you told us the truth about that conference which was set up here to assault the immigration laws, would you be supplying information that could be used against you in a criminal procedure?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Now, we have still another conference we want to invite your attention to. It is a Midwest conference, a little bit bigger than just the Ohio conference. It is a Midwest conference.

An urgent call to attend the Midwest Conference to uphold the Constitution of the United States and the Bill of Rights and repeal the McCarran Act.

What was the McCarran Act, or what is the McCarran Act? Do you know?

(The witness conferred with her counsel.)

Mr. ARENS. What is the McCarran Act? That is the outstanding question. Do you know?

Mrs. ZAZRIVY. To my understanding, it is the Internal Security Act.

Mr. ARENS. The Internal Security Act.

Now, did you help set up this conference to repeal the McCarran Act, the Internal Security Act?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. I have here this leaflet on this urgent call to attend the Midwest Conference to be held in Chicago, and Elsie Zazrivy is listed here as the executive secretary of the Ohio Bill of Rights Conference. That is going to be one of the constituent organizations in this urgent call to uphold the Constitution and defend the Bill of Rights by repealing the anti-Communist McCarran Act. Just look at that leaflet and tell us if that rings a bell, if you are the Elsie Zazrivy that was executive secretary of this Ohio Bill of Rights Conference that was going to defend the Constitution and defend the Bill of Rights trying to get the Internal Security Act repealed.

(Document marked "Exhibit No. 225," see appendix, p. 7484.)

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. You might help defend and protect the Constitution if you would tell us whether or not that conference took place, ma'am.

Now I have here a document, the national conference—we go from Ohio, from Cleveland, Ohio, to the Midwest, and now we are spreading to the National Conference—to Repeal the Walter-McCarran Law and Defend its Victims. This is a proceeding in Chicago, again, in December 1953. A number of people listed here as participants in these proceedings include Elsie Zazrivy of Cleveland, who is chairman of the women's panel. Look at this document here, if you please, and tell us whether or not you can perhaps help defend the Constitution of the United States and the Bill of Rights and this Republic by giving us a little light on what might have been going on there in this conference to repeal the immigration laws of this country.

(See exhibit V, appendix, pp. 8337-8371.)

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I invoke the first and the fifth amendments as my right to associate.

Mr. ARENS. Do you honestly feel, ma'am, that if you told this committee while you are under oath the truth as to the nature, the import and objectives, the membership, of that organization and that conference, the meeting in Ohio to destroy the immigration laws, you would be supplying information that could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I invoke the first and the fifth amendments.

Mr. ARENS. You have also been active, have you not, in some other conferences, in some other arenas, to protect the Constitution and to save the Bill of Rights. I have here before me now a photostatic copy of the Communist Daily Worker of Tuesday, April 22, 1952 (p. 3). Two thousand delegates, according to this article, have met and are meeting in conferences in Cleveland, in Chicago, in Detroit, in Pittsburgh, in Philadelphia, and Newark. They are meeting in order to save the IWO, to save the IWO. Curiously enough, one of the participants in these conferences all over the country to save the IWO is the person, according to the Daily Worker, of Mrs. Elsie Zazrivy, who is identified here as a leader in the fight for the rights of the foreign born. What is or was the IWO?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I invoke the fifth amendment.

Mr. ARENS. The IWO was a Communist-controlled organization with nationality sections all over the country, with tens of thousands of members, all controlled by the Communist conspiracy; isn't that correct?

Mrs. ZAZRIVY. I invoke the fifth amendment.

Mr. ARENS. Look at this article and tell us how you were going to serve the interests of the Constitution of the United States and the Bill of Rights by joining with others trying to protect this Communist-controlled conspiratorial apparatus. Tell that to us now while you are under oath, and maybe you can help protect the Constitution, help protect this Republic.

(Document marked "Exhibit No. 226," see appendix, p. 7485.)

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the first and the fifth amendments.

Mr. VELDE. Mr. Counsel, can you tell me what citations there have been against the IWO?

Mr. ARENS. The IWO has been repeatedly cited by the Attorney General and other official agencies of the Government as Communist controlled. The State of New York revoked the charter of the IWO some few years ago on the legal theory that the IWO was not a legitimate, bona fide insurance or fraternal order, but that it was an arm of the conspiratorial apparatus. This is the organization concerning which the witness this morning, and others, according to the documents, were trying to save in these various conferences over the country.

Have you expanded your activities in the public interest by engaging in a campaign in behalf of a certain person for President of the United States? Were you one of the principal backers and promoters of the Progressive Party in Ohio?

Mrs. ZAZRIVY. I invoke the first and the fifth amendments.

Mr. ARENS. I have before me a photostatic copy of the Evening Star of Washington, D. C. (June 11, 1948, p. A-6). The article says

"Ohio Supreme Court Told Three Main Backers of Wallace Are Reds." That "Reds" means Communists. I think you will concur in that statement. Among those three main backers of Wallace, according to the Ohio Supreme Court, or representation of the Ohio Supreme Court, are Elsie Zazrivy and David I. Sindell, an attorney, both of Cleveland. Were you one of the principal backers of the Wallace movement here in Cleveland, in Ohio?

(Document marked "Exhibit No. 227," see appendix, p. 7486.)

Mrs. ZAZRIVY. I claim the first and the fifth amendments.

Mr. ARENS. Who is Abner Green?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the first and the fifth amendments.

Mr. ARENS. He is a hard-core member of the Communist conspiracy, and executive secretary of the American Committee for Protection of Foreign Born; isn't he?

Mrs. ZAZRIVY. I claim the first and the fifth amendments.

Mr. ARENS. You have had a little correspondence with Abner Green; haven't you?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I have not admitted knowing him, and I claim the first and fifth amendments.

Mr. ARENS. This is exhibit 217 (see appendix, p. 7473) one of the documents you produced before us:

How does the Walter-McCarran Law Affect You? * * * It reduces the foreign born to second-class status." * * * Hundreds of organizations and thousands of individuals have gone on record to repeal the Walter-McCarran law * * *.

All this is to be done under the auspices of this organization of which you were executive secretary. Will you tell us a little bit about that?

Mrs. ZAZRIVY. I claim the first and the fifth amendments.

Mr. ARENS. What is your address, again, in Cleveland?

Mrs. ZAZRIVY. 4132 Brookside.

Mr. ARENS. What is 5103 Euclid Avenue, in Cleveland?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Did you ever live at 5103 Euclid Avenue?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Did the American Committee for Protection of Foreign Born ever have an office there?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. How much has the Ohio Committee for Protection of Foreign Born collected in the course of the last few years, all for the purpose of defending the Constitution and the Bill of Rights and these other objectives of great humanitarian import that you have been talking about?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Has the Ohio Committee for Protection of Foreign Born in the course of the last few years collected as much as \$100,000 for this campaign to promote justice?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. What is the Ohio Defender?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Have you ever registered under the lobbying provisions of the Lobbying Act?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. Yes. You are ordered to.

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. No; I have not.

Mr. ARENS. You have not registered under the Lobbying Act. Have you, on behalf of any organization, received or expended funds for the purpose of influencing legislation in the United States Congress?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Do you honestly feel if you gave us a truthful answer to that question you would be supplying information that could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Are you now, at this moment, a member of the Communist conspiracy?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. Have you ever been a member of the Communist conspiracy?

Mrs. ZAZRIVY. I claim the fifth amendment.

Mr. WILLIS. The witness will be excused, and we will take a 5-minute informal recess.

(Present at the taking of the recess: Representatives Willis and Velde.)

(Brief recess.)

(Present after the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

Counsel will please proceed.

Mr. ARENS. Mr. M. Y. Steinberg. Please come forward and remain standing while the chairman administers an oath to you.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STEINBERG. Yes; I do.

TESTIMONY OF M. Y. STEINBERG, ACCOMPANIED BY COUNSEL, HYMEN SCHLESINGER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. STEINBERG. My name is M. Y. Steinberg. I live in Pittsburgh, Pa. I am, by occupation, a lawyer.

Mr. ARENS. Where and when were you born?

Mr. STEINBERG. I was born on January 1, 1902, in Warsaw, Poland.

Mr. ARENS. What is your home address?

Mr. STEINBERG. 5415 Fifth Avenue.

Mr. ARENS. When did you come to the United States?

Mr. STEINBERG. In 1907, as I recall.

Mr. ARENS. I didn't understand you.

Mr. STEINBERG. 1907.

Mr. ARENS. Are you a citizen of the United States?

Mr. STEINBERG. Yes; I am.

Mr. ARENS. Is that by naturalization or derivation?

Mr. STEINBERG. By derivation.

Mr. ARENS. Give us just a thumbnail sketch of your education, please, Mr. Steinberg.

Mr. STEINBERG. Grammar school, high school, and a year of college, and law school.

Mr. ARENS. Where did you graduate from law school?

Mr. STEINBERG. Duquesne University.

Mr. ARENS. And when?

Mr. STEINBERG. 1925.

Mr. ARENS. When did you procure your license to practice law?

Mr. STEINBERG. The same year.

Mr. ARENS. And as a prerequisite to obtaining your license to practice law, did you take an oath to support and defend the Constitution of the United States?

Mr. STEINBERG. I did.

Mr. ARENS. And subsequent to the oath which you took as a prerequisite to obtaining your license to practice in the courts of the State in which you reside, Pennsylvania, did you become a member of an organization dedicated to the destruction of the Constitution of the United States?

(The witness conferred with his counsel.)

Mr. STEINBERG. May I say that, to the best of my ability and beliefs, I have always upheld the Constitution of the United States.

Mr. ARENS. Yes. Now just answer the question. Did you, subsequent to the time you took an oath to support and defend the Constitution of the United States, in order to practice law in the courts of Pennsylvania, did you thereafter join an organization which is dedicated to the destruction of the Constitution of the United States and the overthrow of this Government by force and violence?

Mr. STEINBERG. As to that, I invoke the protection of the first and fifth amendments.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. STEINBERG. I am not, sir.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. STEINBERG. The same answer. I invoke the protection of the first and fifth amendments.

Mr. ARENS. Were you a member of the Communist Party—this is 1956—were you a member of the Communist Party in 1950?

Mr. STEINBERG. I have said I am not a member. As to any prior references thereto, I invoke the protection of the fifth and first amendments.

Mr. ARENS. Were you a member of the Communist Party a year ago?

Mr. STEINBERG. The same answer, sir.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. STEINBERG. I have never been under discipline, to my knowledge, of any kind.

Mr. ARENS. Were you under Communist Party discipline at any time in the past?

Mr. STEINBERG. To my knowledge, I have never been under discipline by the Communist Party or anybody else, except to my conscience.

Mr. ARENS. Did you ever resign from the technical membership in the Communist Party?

Mr. STEINBERG. To that, I invoke the protection of the first and fifth amendments, sir.

Mr. ARENS. I am not sure I asked this question, but I must clear the record. Were you a member of the Communist Party yesterday?

Mr. STEINBERG. You asked that. I was not.

Mr. ARENS. Were you a member of the Communist Party a year ago?

Mr. STEINBERG. I did answer that. I told you I said that I am not presently a member. As to any membership prior to now, I invoke the protection of the first—

Mr. ARENS. Yesterday is prior to that and you gave us an answer to that. Were you a member of the Communist Party 6 months ago?

Mr. STEINBERG. At some point I am going to stop.

Mr. ARENS. We will stay right with you, Mr. Steinberg, until doomsday. Were you a member of the Communist Party 6 months ago?

Mr. STEINBERG. I invoke the protection of the fifth amendment.

Mr. ARENS. Were you a member of the Communist Party a week ago?

Mr. STEINBERG. The same answer, sir.

Mr. ARENS. Were you a member of the Communist Party 3 days ago?

Mr. STEINBERG. Same answer, sir.

Mr. ARENS. Were you a member of the Communist Party 2 days ago?

Mr. STEINBERG. Same answer, sir.

Mr. ARENS. Now we will come back to the question. Were you a member of the Communist Party yesterday?

Mr. STEINBERG. I answered that.

Mr. ARENS. Answer it again.

Mr. STEINBERG. I was not, sir.

Mr. ARENS. You were not a member of the Communist Party yesterday, but you invoke the fifth amendment with reference to the Communist Party 2 days ago, is that correct?

(The witness conferred with his counsel.)

Mr. ARENS. Is there a question outstanding that you are waiting to answer?

Mr. STEINBERG. I am sorry. Is there a question?

Mr. ARENS. I didn't think so, but you were in colloquy there, and I thought perhaps you were ready to make another statement.

Now, Mr. Steinberg, did you, in a proceeding with reference to your professional status in Pennsylvania, testify that you had been a member of the Communist Party for a certain period in your life?

Mr. STEINBERG. I refuse to answer that, sir, and invoke the protection of the first and fifth amendments.

Mr. ARENS. What has been your connection with the American Committee for Protection of Foreign Born?

(The witness conferred with his counsel.)

Mr. STEINBERG. I invoke the protection of the first and fifth amendments, sir.

Mr. ARENS. Are you a member of the American Committee for Protection of Foreign Born?

Mr. STEINBERG. I am not, sir.

Mr. ARENS. Have you served as counsel for the American Committee for Protection of Foreign Born?

Mr. STEINBERG. To my knowledge, I have not.

Mr. ARENS. Well, perhaps this will refresh your recollection. I have a copy of a page from the Lamp (November-December 1947, p. 3), the official publication of the American Committee for Protection of Foreign Born—"Committee Designates Local Counsel," listing a number of people who are in the engagement of the American Committee for Protection of Foreign Born, in connection with the Communist cases. I haven't said that quite fairly. I want to correct the record. In connection with cases—the Lamp doesn't say "Communist" cases—in connection with certain cases. The counsel designated for the Pittsburgh area is M. Y. Steinberg. Kindly look at that and tell us whether or not you can verify the authenticity of that statement.

(Document marked "Exhibit No. 228," see appendix, p. 7487.)

(The witness conferred with his counsel.)

Mr. STEINBERG. I have no recollection of ever having been counsel for the American Committee for Protection of Foreign Born. I have represented clients in deportation matters.

Mr. ARENS. Are those matters referred to you by the American Committee for Protection of Foreign Born?

Mr. STEINBERG. To my knowledge, no.

Mr. ARENS. How about the Western Pennsylvania Committee for Protection of Foreign Born?

Mr. STEINBERG. I have not been engaged by the Western Committee for Protection of Foreign Born. Frankly, I know of no such organization, to my knowledge.

Mr. ARENS. I want to invite your attention to the official summary proceedings of the 15th Anniversary National Conference of the American Committee for Protection of Foreign Born, which was held in Chicago, December 11 and 12, 1948. Mr. Appell will show it to you. On page 2 there under the heading "Nominating Committee"—and you will note that the people in the nominating committee are designated as members of the committee—there is an M. Y. Steinberg, identified as a member of the nominating committee. Did you attend that conference, and were you a member of this nominating committee of the American Committee for Protection of Foreign Born, in Chicago?

(Document marked "Exhibit I," see appendix, pp. 8269-8274.)

(The witness conferred with his counsel.)

Mr. STEINBERG. I invoke the protection of the first and fifth amendments, sir.

Mr. ARENS. The fact is you were there and you were on the nominating committee, and you were a participant in the activities of the American Committee for Protection of Foreign Born; isn't that true?

Mr. STEINBERG. To my knowledge, I have no recollection of having

been on any nominating committee. I claim the protection of the first and fifth amendments as to the rest of my answer.

Mr. ARENS. Did you attend the Chicago conference?

Mr. STEINBERG. I claim the protection of the first and fifth amendments, sir.

Mr. ARENS. We want to show you still another document. It is a summary proceedings for the National Conference Against Deportation Hysteria. It is sponsored by the American Committee for Protection of Foreign Born, held in Detroit, Mich., December 3 and 4. According to this document, the official proceedings, M. Y. Steinberg was elected to the board of directors. Look at that document, now, when Mr. Appell displays it to you, and tell this committee whether or not you are he.

Mr. STEINBERG. What is the date of that?

Mr. ARENS. 1949.

I beg your pardon. I thought I said it.

(The witness conferred with his counsel.)

Mr. ARENS. This is the National Conference Against Deportation Hysteria, held in Detroit, Mich., under the auspices of the American Committee for Protection of Foreign Born.

Mr. STEINBERG. In Detroit, Mich?

Mr. ARENS. In Detroit, Mich. Were you in Detroit, Mich. in 1949, and were you elected to the board of directors of the American Committee for Protection of Foreign Born?

(See exhibit II, appendix, pp. 8275-8302.)

Mr. STEINBERG. I invoke the protection of the first and fifth amendments.

Mr. ARENS. This conference in Detroit passed a resolution commending and endorsing the efforts of the Civil Rights Congress to defend the people's liberties, and defeat the attempt to imprison the leaders of the Communist Party. Did you help sponsor that resolution, commending this Communist-controlled Civil Rights Congress and to do what could be done to defend the leaders of the Communist Party?

Mr. STEINBERG. I have no recollection of sponsoring any resolution, sir.

Mr. ARENS. Did you participate in the passage of that resolution?

Mr. STEINBERG. To my knowledge, I did not.

Mr. ARENS. Did you oppose the resolution?

Mr. STEINBERG. To my knowledge, I know nothing of it.

Mr. ARENS. Elected to the board of directors of the American Committee for Protection of Foreign Born at this national conference held in Detroit were a number of people. Would you kindly look over that list and tell us how many of those people you know as participants in that conference and as members of the board of directors?

Mr. STEINBERG. I claim the protection of the first and fifth amendments, sir.

Mr. ARENS. How many of those people on that board of directors are known by you as a certainty to be members of the Communist conspiracy?

Mr. STEINBERG. I have no knowledge, sir, and I claim the protection of the first and fifth amendments.

Mr. ARENS. Just look down the list, and we will test your knowledge. Do you have knowledge or do you not have knowledge?

Mr. STEINBERG. I claim the protection of the first and fifth amendments.

Mr. ARENS. What was the interest of the National Conference Against Deportation Hysteria on another little piece of legislation, the Hobbs bill? What was the Hobbs bill, do you recall?

Mr. STEINBERG. I do not, sir.

Mr. ARENS. Do you remember what the Internal Security Act was?

Mr. STEINBERG. Yes, sir.

Mr. ARENS. I advise you that the Internal Security Act incorporated the provisions of the Hobbs bill in it. I observe here a resolution which was passed by this conference.

Resolved, That all organizations represented at this Conference prepare a mass campaign within their organizations and within their communities to fight against the passage of the Hobbs Concentration Camp Bill; and that this Conference call for the initiation of the broadest possible national campaign against the passage of the Hobbs Bill.

As a member of the board of directors of this conference and of this organization, you perhaps would have some knowledge respecting the legislative endeavors of the organization. Do you recall the drive that was staged by this conference, and by these organizations, constituent organizations, to defeat the Hobbs bill?

Mr. STEINBERG. I do not recall it, sir.

Mr. ARENS. In 1949 there was created in Pittsburgh an organization or a committee known as the American-Yugoslav Committee for Protection of Foreign Born, a specialized agency. Tell this Committee on Un-American Activities what knowledge you have of this American-Yugoslav Committee for Protection of Foreign Born.

Mr. STEINBERG. I can recall no connection. I have no recollection of it, at the present time.

Mr. ARENS. Are you a member of the Civil Rights Congress?

Mr. STEINBERG. To my knowledge, I have not been, sir.

Mr. ARENS. Have you ever been identified with a branch of the Civil Rights Congress in Pittsburgh?

Mr. STEINBERG. I have no recollection of it, sir.

Mr. ARENS. Have you ever been identified with the Progressive Party of Western Pennsylvania?

Mr. STEINBERG. I represented them at one time in some legal matter.

Mr. ARENS. Is that the only nature of your association in connection with the Progressive Party?

Mr. STEINBERG. As to that, I don't know that it makes much difference, but I will ask for the protection of the first and fifth amendments.

Mr. ARENS. Do you know Alexander Wright?

Mr. STEINBERG. I invoke the protection of the first and fifth amendments.

Mr. ARENS. Alexander Wright was one of the moving forces of the Progressive Party of Western Pennsylvania, was he not?

Mr. STEINBERG. I must claim the protection of the fifth.

Mr. ARENS. Did Alexander Wright collaborate with you in work with the Western Pennsylvania Committee for Protection of Foreign Born in connection with efforts to undermine the Internal Security Act, the Smith Act, and the security provisions of the Immigration and Nationality Act, and the non-Communist affidavit provisions of the Taft-Hartley Act?

Mr. STEINBERG. To my recollection and knowledge, I have never collaborated with anybody in connection with any of that stuff that you mentioned.

Mr. ARENS. Have you been in conference with Alexander Wright on this subject matter?

Mr. STEINBERG. To that I invoke the protection of the fifth.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. Miss Evelyn Abelson, please come forward.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss ABELSON. I do.

**TESTIMONY OF MISS EVELYN ABELSON, ACCOMPANIED BY
COUNSEL, HYMEN SCHLESINGER**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Miss ABELSON. My name is Evelyn Abelson. My residence is 101 Clark Street, Brooklyn, N. Y.

Mr. ARENS. And your occupation?

Miss ABELSON. If I state my occupation, I will be fired. I prefer to withhold that.

Mr. ARENS. You are requested to state your occupation.

(The witness conferred with her counsel.)

Miss ABELSON. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. WILLIS. The question is simply your occupation. It does not seem too difficult to answer.

Miss ABELSON. I am a social worker.

Mr. ARENS. And you work where?

(The witness conferred with her counsel.)

Miss ABELSON. I expect if I make public where I work, that I will be fired. I hope that I do not have to make public that information.

Mr. ARENS. Maybe it would be in the public interest if we would divulge where you work. Tell this committee——

Mr. WILLIS. Why would you be fired?

Miss ABELSON. Well, it is known that many people who appear before these committees are fired from their jobs. I feel quite certain that the same thing would happen to me, from past experience with other people. And, therefore, if it is at all possible, I should not like to be fired from my job.

Mr. VELDE. I just imagine if you will answer the questions that are put to you by our counsel, your employer would be very happy to continue you on the payroll, whoever your employer is. It is very, very seldom that this committee has ever interfered with the employment of any witness who has come before the committee. I am sure that you have no fear.

(The witness conferred with her counsel.)

Mr. WILLIS. As a matter of fact, that sounds all right, to say that if you tell where you work, you are going to be fired. But that is

just a little speech. The fact that you have appeared here will be just as well known to your employer by the news releases as if you tell where you are employed. As Mr. Velde has said, if you will answer all of the questions which are propounded to you, I think your employer will be pleased that you attended.

Mr. ARENS. What do you do at the place where you are employed?

Miss ABELSON. I am a social worker.

Mr. ARENS. And what do you do where you are employed?

Miss ABELSON. I do the usual duties of a social worker.

Mr. ARENS. And among whom do you work?

(The witness conferred with her counsel.)

Miss ABELSON. As I have said, I would like to not identify my work and my employer because I would not like to lose my job. I would appreciate it if I would not have to give this kind of information.

Mr. ARENS. Let's start this way, and then we will come back to that question. Are you now a member of the Communist Party?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Do you know Reuben Hardin?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Reuben Hardin took an oath and swore before the Subversive Activities Control Board of this Government that you were a Communist. Was Reuben Hardin lying or was he telling the truth?

(The witness conferred with her counsel.)

Miss ABELSON. Your Honor, I have learned recently about many Government witnesses who have lied. I am not able to judge the veracity of this witness, and I would like to protect myself by claiming the first and fifth amendments.

Mr. WILLIS. Match your veracity against that witness.

Mr. ARENS. You ought to be able to tell this committee whether Hardin was lying when he said you were a Communist. That is a pretty bad thing to say these days.

(The witness conferred with her counsel.)

Miss ABELSON. Could you please apprise me of the question that is now before me?

Mr. ARENS. Yes. Was Hardin lying when he said that he knew you as a Communist?

Miss ABELSON. I have already answered that question.

Mr. ARENS. No; you haven't. You said—I forgot what you did say.

Miss ABELSON. I think I claimed the first and fifth amendments by explaining also that I couldn't judge as to the veracity of this particular witness.

Mr. ARENS. Then just forget about his veracity. Are you a Communist?

Miss ABELSON. I claim the first and the fifth amendments.

Mr. ARENS. Now tell the committee where you work.

(The witness conferred with her counsel.)

Miss ABELSON. I appeal to the chairman of the committee. As I said before, I wish that I wouldn't have to divulge this so I wouldn't lose my employment. However, if I am ordered to—

Mr. ARENS. If we don't make you answer that question as to where you work, will you tell us about the Western Pennsylvania Committee

for Protection of Foreign Born, tell us about the Civil Rights Congress, and tell us about your activities in connection with those Communist-controlled organizations to destroy the security provisions of the law and to cripple the national security program of this Government? Will you do that?

(The witness conferred with her counsel.)

Miss ABELSON. I wish to state to this committee that I have always, to the best of my ability, supported the Constitution of the United States.

Mr. ARENS. Tell us, have you ever been a member of an organization dedicated to the destruction of the Constitution of the United States?

Miss ABELSON. I have never done anything, in all my knowledge, to do anything that would subvert the best interests of the people of the United States, nor the Constitution, which I admire and which I am very proud to live under.

Mr. ARENS. And just tell us, if you please, have you ever been a member of an organization which is dedicated to the destruction of the Constitution of the United States?

(The witness conferred with her counsel.)

Miss ABELSON. As I said before, I have done the best I could to fight for the Constitution—

Mr. ARENS. Just answer this question. Tell us whether or not you have been a member of an organization, and whether or not you are at this moment, a member of an organization, which has, as one of its principal objectives, the destruction of the Constitution of the United States, and then we will proceed from there.

(The witness conferred with her counsel.)

Miss ABELSON. What organization are you referring to, sir?

Mr. ARENS. Don't you have any idea?

Miss ABELSON. Frankly, no.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

(The witness conferred with her counsel.)

Mr. WILLIS. Well, to be entirely fair, just ask her the \$64 question again.

Mr. ARENS. Are you a member of the Communist Party?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Do you know whether or not the Communist Party is dedicated to the destruction of the Constitution of the United States and the overthrow of this Government by force and violence?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Now we are back where we started from. Tell us where you work.

(The witness conferred with her counsel.)

Miss ABELSON. Your Honor, I am a social worker for a private social agency.

Mr. ARENS. And what is the name of that private social agency?

(The witness conferred with her counsel.)

Miss ABELSON. As I said, if I give the name, I will certainly be fired.

Mr. ARENS. Did you have a discussion with your employers respecting your membership in the Communist Party when you accepted this position with this private social agency?

(The witness conferred with her counsel.)

MISS ABELSON. I have never discussed any of my personal or political beliefs with my employers.

MR. ARENS. Do you think your losing your job might be because the parents of the children that you influence in communism, try to influence in communism, might protest a little bit if they knew they had a Communist on the grounds? Do you think that is what might be in the back of your mind?

(The witness conferred with her counsel.)

MISS ABELSON. Your Honor, I have only one thing in mind, and that is not to lose my job. I have once lost my job because of a statement that was made against me, and that is the only thing that I have in mind, not to lose my employment.

MR. WILLIS. I understand that. The only way you can clear it is by answering questions.

MR. ARENS. Where did you lose your job because someone said something about you? Where was that?

(The witness conferred with her counsel.)

MISS ABELSON. I mean—

MR. ARENS. No. Where was it that you lost your job because someone said something about you? Just tell this committee.

(The witness conferred with her counsel.)

MISS ABELSON. Your Honor, I don't know how that would be relevant to this material—

MR. ARENS. You opened the door. You made the statement. You have started us on this route, and we want to finish it so the record will be complete.

MISS ABELSON. I am trying to be as honest with the committee and explain my reasoning as I expect you want me to. As I say, I don't know how that will be relevant. If I am ordered to answer it—

MR. ARENS. Are you presently employed at the Jenny E. Clarkson Home for Girls at Valhalla, N. Y.?

MISS ABELSON. Yes, I am. I think it is unfair, and I think it is unfortunate that you know that I will lose my job. I am.

MR. ARENS. How old are the girls—

MR. WILLIS. That seems to be your theme here. I think there is more to it than what you are saying. On the question of appearance before this committee, I cannot conceive that appearance has anything to do with losing a job. The question may involve jobs, but we have no control over your association with the Communist Party. That is how you could keep your job, by saying it is not true, the sworn testimony that we have.

MR. ARENS. You didn't lose your job with the Western Pennsylvania Committee for Protection of Foreign Born because somebody said something bad about you, did you?

(The witness conferred with her counsel.)

MISS ABELSON. I claim the first and fifth amendments.

MR. ARENS. You didn't lose your job as executive secretary of the Civil Rights Congress in Pennsylvania because someone said something bad about you, did you?

MISS ABELSON. I claim the first and fifth amendments.

MR. ARENS. Did the Communist Party ever deprive you of a job?

MISS ABELSON. I claim the first and fifth amendments.

Mr. ARENS. How old are these girls at this Jenny E. Clarkson Home for Girls at Vallhalla, N. Y.?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. WILLIS. Yes.

You are directed to answer the question.

(The witness conferred with her counsel.)

Miss ABELSON. I am not certain about the exact ages of the children in that home. I think that the charter provides for children between the ages of 5 and 18.

Mr. ARENS. And how many are there in the home?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. WILLIS. Yes.

You are directed to answer the question.

(The witness conferred with her counsel.)

Miss ABELSON. I frankly really don't know. I would estimate that there are about 40.

Mr. ARENS. Are you a subscriber to the Daily Worker?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. We have here a wrapper with the Communist Daily Worker in it addressed to Evelyn Abelson, 5725 Phillips Avenue, Pittsburgh, 17, Pennsylvania. Look at that and tell us if you are she. We are going to give you an opportunity now to make your employer proud of you, and these little girls proud, that you are here serving your country, telling us all about the conspiratorial apparatus that would destroy this country. Just tell us if you are she. Perhaps you received the Daily Worker to use it in uncovering other Communists or something. We receive it in our work all the time.

(Document marked "Exhibit No. 229," see appendix, p. 7488.)

Miss ABELSON. I think it is illegal to interfere with the mails.

Mr. ARENS. Just tell us whether or not that was your address there, whether or not you received the Daily Worker.

Miss ABELSON. I would like to consult with my lawyer about your authority to interfere with the mails.

Mr. ARENS. You go right ahead and consult with him.

(The witness conferred with her counsel.)

Miss ABELSON. I have been apprised by my lawyer that you have no authority to interfere with the mails, and that by presenting it, if this is a violation of my mail, that you have invaded all of my constitution—

Mr. ARENS. How do you know it until you tell us whether or not that is yours? Tell us whether or not it is yours.

Miss ABELSON. I say, if you have, you have violated all of my constitutional rights.

Mr. ARENS. Let's cross that bridge when we get to it. Let's cross the first bridge now. Tell us now whether or not that is you there to whom that Communist Daily Worker is addressed, and then we will cross the second bridge.

Miss ABELSON. I claim the first and fifth amendments. But the point I made, I want still to be valid, that this is an outrageous invasion of my constitutional rights.

Mr. ARENS. Do you observe any postal stamp or any postage on that document? That is the second bridge we are going to cross now. Do you see any postage on there?

Miss ABELSON. I only know what you said, and the document speaks for itself.

Mr. ARENS. Just tell this committee now, in view of your tirade against the committee, whether or not you see any postage mark on there.

(The witness conferred with her counsel.)

Mr. ARENS. Ask the counsel whether he sees any on there. Maybe he can help you.

(The witness conferred with her counsel.)

Miss ABELSON. Basing myself upon the statements of the counsel of the committee, I maintain that my constitutional rights have been invaded, and I assume that I have to take what the counsel says as fact.

Mr. ARENS. We want to lay before you another exhibit. It is a receipt book of the Western Pennsylvania Committee for Protection of Foreign Born. It is signed there for the receipts for contributions to that organization by one Evelyn Abelson. Would you please look at that receipt book and make your employer and these little girls up there in New York proud of you by telling us whether or not that is the receipt book of this Communist conspiratorial apparatus?

(Document marked "Exhibit No. 230a-d," see appendix, pp. 7489-7492.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Now we have an original letter by Abner Green, dated June 24, 1954, addressed to "Dear Evelyn"—I think our record reflects that Abner Green has been repeatedly identified as a member of the hard, hard core of the Communist conspiracy, and is executive secretary of the American Committee for Protection of Foreign Born.

This article on the Western Pennsylvania Committee you prepared for the Lamp cannot be used, and unfortunately, it is now too late to ask you to prepare another one for this issue. We will carry one in the next issue.

In preparing the article, please keep in mind that the Lamp is a biased publication. We work like the dickens, therefore, to at the least make it as factual as possible, without too much politicalizing. If the material were highly political as well as biased, it would be a lot more difficult to read than it is. By political, I mean agitational since I do not feel that the Lamp, by being factual and somewhat restrained, is at the same time being political in the correct sense of the word. If you don't understand all of this, please drop me a note.

Best regards,

Yours,

ABNER.

Look at that original letter there and see if you recall receiving that from Abner.

(The witness conferred with her counsel.)

Miss ABELSON. If this is, as you say, an original letter addressed to me, I would want to question how you obtained such letter.

Mr. ARENS. You tell us whether or not it is such original letter, and then we will get to the second bridge again.

Miss ABELSON. I am not able to say, but I want to make clear the point, sir.

Mr. ARENS. Why can't you say? Why can't you say whether or not that is an original letter?

(The witness conferred with her counsel.)

Mr. ARENS. You could make your employer and those little girls mighty proud of you up there if you would help expose this Communist operation.

(The witness conferred with her counsel.)

Miss ABELSON. If this is, as you say—

Mr. ARENS. You tell us. That is the first question we are going to decide right now. Is that a letter that you received from Abner Green? Just tell us that. Let's cross that bridge first.

(The witness conferred with her counsel.)

Miss ABELSON. Accepting your statement, then, somebody is stealing letters.

Mr. ARENS. Just tell this committee now whether or not that is the letter that you received from Abner Green. Then we will cross the next bridge.

(The witness conferred with her counsel.)

Miss ABELSON. But if what you say is so, then my constitutional rights have really been violated.

Mr. ARENS. We will cross that bridge in just a moment. You just tell us whether or not that is an original letter which you received from Abner Green, this hard-core Communist agent from the American Committee for Protection of Foreign Born, about an article you were going to write for The Lamp.

(The witness conferred with her counsel.)

Miss ABELSON. I am advised by my counsel that I have, first, a right to know whether this came into your possession legally.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question as to whether or not she can identify that letter, while she is under oath.

Mr. WILLIS. You are directed to answer that question.

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I want to lay before you still another exhibit. It is a mimeographed newsletter issued by the Western Pennsylvania Committee for Protection of Foreign Born, under date of January-February 1954, and it contains a section entitled "Western Pennsylvania Committee for Protection of Foreign Born demands Congressman Fulton take a stand on the Walter-McCarran Act!" It demands all kinds of things with reference to the repeal and destruction of the McCarranite forces, in the fight to uncover this undemocratic Walter-McCarran Act.

Please look at this and see if you were instrumental in preparing this release.

(Document marked "Exhibit No. 231," see appendix, p. 7493.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. And did you and your colleagues up there in the Western Pennsylvania Committee for Protection of Foreign Born write to the Pennsylvania delegation, demanding that certain things be done on the immigration laws?

(The witness conferred with her counsel.)

Miss ABELSON. I understand that any citizen has a right to communicate with his Congressman—

Mr. ARENS. Surely, and any citizen ought to be able to say "Yes, I did it, because I believed in it." Won't you tell us that, whether or not you did it?

(The witness conferred with her counsel.)

Mr. WILLIS. The right to petition is right in the Constitution.

Mr. ARENS. It is a sacred right.

Mr. WILLIS. We just want to know whether you did it, and under what circumstances and for what reason.

Mr. ARENS. And for what organization.

Miss ABELSON. May I consult my counsel?

(The witness conferred with her counsel.)

Miss ABELSON. Would you please repeat your question again?

Mr. ARENS. Read the question to her, Mr. Reporter.

(The reporter read from his notes as requested.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Now I have a letter here, Western Pennsylvania Committee for Protection of Foreign Born, signed Evelyn Abelson, executive secretary, dated August 19, 1954, addressed to "Dear Sir."

Our organization is interested in the repeal of the Walter-McCarran Act. This act is one of the most vicious, racist laws on the statute books, depriving noncitizens of all rights and threatening naturalized citizens with the loss of citizenship at the whim of the Attorney General.

It is our understanding that you are a candidate for public office. Your candidacy comes at a time of crucial importance to the people of our country, when our basic freedoms are being challenged by McCarthyism.

Our organization is interested in what you will do to help repeal the Walter-McCarran Act. Many people in your district who are in contact with our organization have asked us to let them know how all candidates in this election stand on this vital issue, so that they can vote accordingly. This, we feel, is the concern not only of the congressional candidates, but of all candidates for public office.

We intend to make known as widely as possible how the various candidates stand on the repeal of this act. We hope that we may hear from you soon, and that we may arrange a meeting between you and a representative of our committee to further discuss this matter.

Look at that document, if you would, please. And serve your Government and serve the interests of this country by telling us whether or not you sent that letter to all these candidates. Then we will have a few more questions, if you will just get us that far along.

(Document marked "Exhibit No. 232," retained in committee files.)

(The witness conferred with her counsel.)

Mr. ARENS. Did you send that letter? Just tell us that.

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I have a copy of the Communist Worker of Sunday, September 19, 1954 (p. 15).

"Demos Get Plea to Junk Walter-McCarran Act" and I want to read this to you.

The Platform Committee of the Democratic Party in session here last month, received a plea from the Committee for Protection of Foreign Born to work for the repeal of the Walter-McCarran Act.

A statement submitted by Evelyn Abelson, secretary of the Committee, pointed out that 25 people in Western Pennsylvania are facing deportation as a result of the Walter-McCarran Act.

There are all kinds of other statements of that character appearing here in this. Now, tell this committee, serve your Government, make your employer proud of you, and these little girls up there in New York proud of you, and tell us, did you submit this statement on behalf of the Western Pennsylvania Committee for Protection of Foreign Born to the Platform Committee of the Democratic Party in Pennsylvania?

(The witness conferred with her counsel.)

Mr. ARENS. You know, Miss Abelson, this series of hearings we are holding is a series on what the Communists are doing to undertake to subvert the anti-Communist program of our Government, including the security provisions of the Walter-McCarran Act. Just tell us, did you actually submit this statement to the Democratic platform committee?

(Document marked "Exhibit No. 233," see appendix, p. 7494.)

(The witness conferred with her counsel.)

Mr. ARENS. We will have another question after you tell us that.

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. And did you tell them that you were a member of the Communist conspiracy, and that the Western Pennsylvania Committee for Protection of Foreign Born was part of the Communist apparatus? Did you tell them that?

Miss ABELSON. I am not sure that I am clear as to what the question is, Your Honor.

Mr. ARENS. Did you tell the platform committee of your identification with the Communist conspiracy and of the control the Communist conspiracy has of the Western Pennsylvania Committee for Protection of Foreign Born? Did you tell them all that?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Who are these 25 people, the sad cases of 25 people in western Pennsylvania, who are facing deportation as a result of the Walter-McCarran Act? Do you recall 25 people—

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. They were all Communist agents, were they not, who were being deported under the Walter-McCarran Act?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Would it help if you looked at this article? Would that refresh your recollection, do you suppose?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I want you to direct your attention, if you please, to another exhibit. It is a newsletter, April 1954, issued by the Western Pennsylvania Committee for Protection of Foreign Born—"Harriet Barron to speak."

They were going to have a communitywide rally. The recitation here is that the Western Pennsylvania Committee for Protection of Foreign Born is not a political organization. However, the outspoken enemies of the foreign born are running for office and everything must be done to assure that this vicious law is repealed. There is a list of local cases, people who are being hurt by this Walter-McCarran Immigration Act.

(Document marked "Exhibit No. 234," see appendix, p. 7495.)

Look at that and tell this committee whether or not you prepared that leaflet which was sent out over Pennsylvania.

(The witness conferred with her counsel.)

MISS ABELSON. I claim the first and fifth amendments.

MR. ARENS. I have another letter here, dated March 31, 1954, I want to ask you about, that you can help us with. It is on the letterhead of the American Committee for Protection of Foreign Born in New York City. It is addressed "Dear Evelyn," and signed "Harriet." According to the letterhead of the American Committee for Protection of Foreign Born, Harriet Barron is the administrative secretary. It says:

I am rearranging my schedule so that I can be in Pittsburgh on the 18th. I assume that you would want me to come in on the 17th so that we can have a day to discuss things before the meeting. Let me know. Regards.

Sincerely,

HARRIET.

Here is another one, dated April 13, 1954. I will take 2 or 3 at a time. Another one from Harriet:

DEAR EVELYN: Steve was here yesterday and he seemed to be of the impression that a date had been set for a meeting. Please let me know what the date is. * * * We also discussed somewhat some of the problems of the Committee. * * *

This Steve that is talked about here in this letter from Harriet Barron, is that Steve Nelson, do you suppose?

(The witness conferred with her counsel.)

MR. ARENS. Ma'am, could you give me your attention? Was this Steve alluded to in the letter from Harriet Barron to you, Steve Nelson who was there conferring with her about the problems of the committee?

MISS ABELSON. May I please see that letter?

MR. ARENS. Surely.

Here is another one from Harriet, dated June 22, 1954:

DEAR EVELYN: Do you know whether a witness named Frank Lowell has been used in your area; or whether anyone knows about him. He is being used in a West Virginia case (Charleston) and they would like any information you have. Let me know as soon as possible.

It is nice to have seen you. Hope you found everything under control when you got back.

That was in June of 1954, written from New York.

(See exhibits Nos. 44, 45, and 46, appendix, p. 7162.)

If you will just identify these letters for us, you can serve your country, make your employer glad, and maybe save your job.

MR. WILLIS. In the meantime, tell us who Steve is.

MR. ARENS. Tell us who Steve is.

MISS ABELSON. The first thing I would like to bring to the committee's attention is that these appear to be original letters, and it seems to me that it is a clear violation of the law to tamper with the mails. I really wonder about the committee—

MR. ARENS. That question we will get to, if you decide whether or not they are original letters that were sent to you. Let's decide that first.

MISS ABELSON. About the committee taking these letters. I want to make that statement, because I am sensitive—

MR. ARENS. We will say to clear the record now, because you have made this public pronouncement, that all of the documents I am using have been obtained by a lawful process by the House Un-American Activities Committee, pursuant to a subpoena duces tecum. But tell the committee while you are under oath, so your employer will read

it in the paper back there and be proud of you, whether or not you can identify those letters.

Miss ABELSON. When and where were these letters obtained?

Mr. WILLIS. Never mind that.

Mr. ARENS. We will cross that bridge in a second. You tell us whether or not they are original letters. If they are not, there is no use going further, is there?

Mr. WILLIS. If they are fakes, tell us so.

Miss ABELSON. I claim the first and fifth amendment.

Mr. ARENS. Tell us, who is the Steve that Harriet talks about, who was up there visiting her?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I have still another letter I am going to invite your attention to.

Mr. WILLIS. Is that Steve Nelson?

Mr. ARENS. Yes, sir, a topflight Comintern agent. He is leader of the Soviet espionage in the United States.

Miss ABELSON. I just want to say, I wonder how the counsel for the committee knows who that is.

Mr. ARENS. You tell us. You are the one who is under oath. You tell us whether or not—

Miss ABELSON. I claim the first and fifth amendments. But the counsel made a statement, and I wonder what the basis for his statement is.

Mr. ARENS. You won't talk, and here you are trying to get me to testify.

Miss ABELSON. No; I just want to make one point to the committee, if I may.

Mr. ARENS. I don't think I am going to lose my job because I identified him as a top-flight Comintern agent.

Miss ABELSON. I would like to make one point, if I may. I certainly wasn't able—I claimed the first and fifth amendments on those questions, but I wonder how the counsel was able to make a statement.

Mr. ARENS. If you will just identify him, we will probably get to that point. You see, if you don't get over the first hurdle, then we can't get to the second hurdle.

I have another letter, an original letter, addressed to Evelyn Abelson, Pittsburgh Committee for Protection of Foreign Born, Pittsburgh, from Dolsen, James Dolsen:

DEAR EVELYN: At last I have received some news of what your organization is doing. Someone sent a copy of your Sept. Bulletin. A dollar is enclosed, for which I ask to be put on your mailing list for the bulletin and all other issued material. Any other worthy news items you can send me will be appreciated.

Remember, I must get material by a Friday in order to get it in the Pa. Worker for the following week's issue.

Could you secure a copy of the Post-Gazette and clip out the editorial referred to in your Sept. Bulletin commenting on the Allegheny County Bar Assn. statement re right to counsel?

Material on deportation and denaturalization cases would be welcomed.

With best wishes and greetings to all.

(Signed) DOLSEN.

(Document marked "Exhibit No. 235," see appendix, p. 7496.)

Look at that and tell us if you can verify the authenticity of it. Then we will get to the question of whether or not the Committee on Un-American Activities has been violating the law.

MISS ABELSON. I would like to raise a question. By what possible way could I answer whether these letters are original or not?

MR. ARENS. Look at them and see if you do. If you don't, say you don't, and that will settle it.

(The witness conferred with her counsel.)

MISS ABELSON. One thing would be if it were——

MR. ARENS. Here is a letter that I think you should be willing to help us on. This is with your signature on it (dated June 1, 1954):

DEAR FRIEND: At the last open meeting of the Western Penna. Committee For Protection Of Foreign Born several persons at the meeting agreed to make a regular monthly contribution in order to assure sufficient funds to carry on the work of the committee.

This note is to remind you of your pledge and also to interest others who see the vital role of our committee to make such a contribution.

I am enclosing an addressed stamped envelope for your convenience. If you have not already pledged a monthly amount I would appreciate your advising me how much I can expect from you each month. I am certain you know the importance of funds in making [sic] adequate plans to carry on the very important defense work and activities for the repeal of the Walter-McCarran Act.

Fraternally yours,

EVELYN ABELSON, *Executive Secretary.*

(Document marked "Exhibit No. 236," see appendix, p. 7497.)

I am sure you can tell us about your signature, and if you can't, sign another paper there and let's compare the signatures, so we can get along.

(The witness conferred with her counsel.)

MR. ARENS. By the way, Mr. Chairman, I would respectfully suggest, if it meets with your approval, that if, as, and when this witness signs her voucher for pay, that her signature be incorporated into this record so we can help identify these documents she seems to be having a little difficulty with.

MR. WILLIS. So ordered.

(Document marked "Exhibit No. 237," see appendix, p. 7498.)

(The witness conferred with her counsel.)

MR. ARENS. Can you tell us whether or not that is your signature, or whether or not it is a forgery or what has happened?

MISS ABELSON. I claim the first and fifth amendments?

MR. ARENS. Now I want to lay before you still another document. It is a collection list.

We, the undersigned citizens of the United States, view with alarm and anxiety the increasing use of the WALTER-McCARRAN ACT against the foreign and native born of our nation. * * *

We call upon every trade unionist, progressive and liberal to rally to the defense of Mr. Santes¹ and the 24 additional victims of the WALTER-McCARRAN ACT. We ask you to donate whatever you can to their defense, and the support of the Western Pennsylvania Committee for the Protection of the Foreign Born. * * *

Issued by The Western Pennsylvania Committee For The Protection of Foreign Born.

Look at that and tell us if you got up that document, and how much you collected on that little drive.

(Document marked "Exhibit No. 238," see appendix, p. 7499.)

(The witness conferred with her counsel.)

MISS ABELSON. I claim the first and fifth amendments.

¹ Also spelled Tsantes.

Mr. ARENS. Is that a forgery, is that a fraud or an original?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I have still another document from Evelyn Abelson with reference to a reception of the Western Pennsylvania Committee for Protection of Foreign Born, and still another one, "Stop the denaturalization of the foreign born." It doesn't say "Stop the denaturalization of the Communist foreign born," it just says stop the denaturalization of the foreign born. "Defend Joseph Mankin." "Your citizenship rights are at stake." If Mankin's citizenship is taken away from him, it is an attack against you. Protect your rights as an American. Send your protest to the Attorney General, United States Attorney. Also, "Repeal the Mc-Carran-Walters [sic] Act." Issued by the Committee To Protect Joseph Mankin's Citizenship.

(Documents marked "Exhibits Nos. 239 and 240," see appendix, pp. 7500-7501.)

It says here if you have any further information you want relative to this matter, communicate with Evelyn Abelson, 6328 Forbes Street, Pittsburgh 17, Pa.

You look at that and help your Government by telling us whether or not that is a true and correct document.

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Do you correspond or have you been in correspondence with Allan? Who is Allan?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. That couldn't be Allan McNeil, could it, the Communist Allan McNeil?

Let me read you a letter here in handwriting, signed "Allan," addressed just "Evelyn."

This is a good order. You did a good job. As a victory, temporary but still a victory, it deserves publicity.

(Document marked "Exhibit No. 241," see appendix, p. 7502.)

I will not read the entire letter, but you just look at this letter now and tell this committee whether or not that is bogus or whether or not you actually did receive the original of that letter from Allan, and then tell us what this good job is you did, and maybe if you lose the job you have you can get another job because you do such good jobs.

(The witness conferred with her counsel.)

Miss ABELSON. Based on your statements, I would assume that somebody is stealing correspondence.

Mr. ARENS. Let's forget about my statement for a moment and see if you can verify the authenticity of that letter.

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Here are two other letters, one signed by Allan D. McNeil: the other closing with: "Fraternally and sincerely" and with the notation, "send all contributions to the Committee for Protection of Foreign Born."

I am enclosing a copy of a press release issued by the local Committee for the Protection of the Foreign Born around the more recent attack upon me. Here again we have a situation where for two years the Government agents have been on my back because I refuse to "cooperate" with them.

Cooperate is in quotation marks.

When first arrested I was warned that they "would make a Christian out of me," to quote the arresting officer.

Well, I don't like Fascists of any variety. My record in Spain and in the trade-union movement for over the past twenty years has confirmed my hatred of informers and dislike of the people who consciously use them. * * *

(Documents marked "Exhibits Nos. 242a, b," see appendix, p. 7503.)

Then there is an analysis in this letter of how bad the McCarran Act is, and how it is undermining all of America, and how everybody ought to rally to destroy it, and how we ought to be careful about the people losing jobs on just bogus subversive charges and the like.

Look at that letter and see if you can verify the authenticity of that letter.

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I have two documents I want you to consider together. One is a newsletter (September 1954), issued by the Western Pennsylvania Committee for Protection of Foreign Born, in which it says that Morris Seder, Walter-McCarran Act victim, dies. According to this newsletter, he was one of the individuals that was up for deportation. Before they were able to deport him, death overtook him.

And then in connection with that, I want you to look at the copy of the document (dated November 22, 1954) from the First Federal Savings & Loan Association of Pittsburgh, Evelyn Abelson, executrix of the estate of Morris Seder, Evelyn Abelson, 5725 Phillips Avenue, Pittsburgh, Pa.

Look at these and tell us, first of all, who was this Morris Seder; secondly, if you were the one that prepared this news release with reference to him; and, third, whether or not you served as administratrix of his estate.

(Documents marked "Exhibits Nos. 243 and 244," see appendix, pp. 7504, 7505.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. How much money is indicated there in the estate of Morris Seder?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Did you make an accounting to the court for the disposition of the funds in the estate of Morris Seder?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Now I have still another.

It is an original document, typewritten but very heavily edited in ink. This is part of the documentary material which has come into the possession of the committee in a lawful, legal manner, pursuant to legal process.

"This man is sentenced to death by the Walter-McCarran Act!"

It tells all about the "pathetic" case. It tells all about what everyone is supposed to do.

"WE MUST ACT TODAY TO KEEP THE SANTES FAMILY TOGETHER!
We urge that you discuss this case in your trade union, fraternal or religious groups * * * Write to Attorney General * * * Write to your Congressman * * * Repeal this Act.

Tell this committee while you are under oath whether you are the one that was preparing this leaflet, to save this country from fascism, from destroying the Constitution, all of these horrible things that were being done by the Walter-McCarran Act.

(Document marked "Exhibit No. 245a, b," see appendix, pp. 7506, 7507.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I have still another document I want to invite your attention to. It is called *The Investigators*. It has a picture of a man and someone else pointing a finger at him. I assume in Communist lingo it is a stool pigeon doing all of this. It is published by the National Education Committee, Jewish People's Fraternal Order, IWO, by Lewis Allan. This is a skit, all about how horrible it is in these days for people who are innocent of any Communist affiliations and connections to be falsely accused, and, I could say parenthetically, to lose their jobs.

See if you can recognize that skit, and tell us whether or not your colleagues in western Pennsylvania produced that job.

(Document marked "Exhibit No. 246," see appendix, pp. 7598-7517.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the fifth amendment.

Mr. ARENS. I have still another letter or two here that I want you to identify for us, so you can serve your Government. Here is another letter addressed to "Dear Evelyn," from Abner, January 4, 1955. Abner Green, executive secretary of the American Committee for Protection of Foreign Born.

DEAR EVELYN: It looks to me like a good New Year's resolution. Keep it up. Sorry to hear about Wolfe.

On Tolsti, will wait to see the decision. Off-hand, my feeling is that he should do nothing, mainly because they can do nothing to him and there is nothing really. I imagine, a lawyer could do for him.

Will send the files this week.

Could you please fill out the enclosed questionnaire on Tom Miller and return it to us?

As soon as you set a date for your conference, please let us know. I imagine that Harriet may be through Pittsburgh at that time. (I leave for the west coast on February 25th.)

And so forth.

Look at that letter and see if you can verify the authenticity of it.

(The witness conferred with her counsel.)

Mr. ARENS (continuing):

If the tour, about which I wrote to you yesterday, works out and you raise \$50 for that, we can throw in this second visit for the same money.

See if you recognize that letter from your friend Abner Green.

(The witness conferred with her counsel.)

(See "Exhibit No. 34," appendix, p. 7143.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. You have, in the course of the last several years, participated in a number of national conferences; have you not?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Were you present at the national conference of the American Committee for Protection of Foreign Born, when Abner Green told the executive committee of that Communist-controlled organization that the American Committee for Protection of Foreign Born had created 100 organizations in 15 key States, all designed for the purpose of undermining and destroying the Walter-McCarran immigration law?

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. I will just show you a few of these national conference proceedings. We won't encumber the record with all of them.

Here is a summary of proceedings of a Chicago conference, the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims (December 12-13, 1953). According to these proceedings, Evelyn Abelson brought greetings from Pittsburgh. Look at that and tell us whether or not you were the one that brought the greetings from Pittsburgh.

(See exhibit V, appendix, pp. 8337-8371.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Here is a national conference—and I think it is very important, and I think that if you would just answer one question on this you could serve your Government—here is a National Conference To Defend the Rights of Foreign Born Americans (December 11-12, 1954), and here is a report to that conference in New York City, of December 1954, by Abner Green, executive secretary, the American Committee for Protection of Foreign Born.

In this conference, as I say, he reports that there are today about 100 organizations in 15 key States which have been taken over, created, or controlled by the Communist Party for the purpose of destroying the McCarran-Walter Act. Now, just tell us whether or not you were at that conference and you heard that report.

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. All right.

Here is the official document of this conference in which your name appears, in which you bring greetings from Pittsburgh, Evelyn Abelson, of Pittsburgh. That is the conference in December of 1954, in New York. Look at that document and tell us whether or not that refreshes your recollection.

(See exhibit VI, appendix, pp. 8372-8405.)

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Mr. Chairman. I respectfully suggest, and I have avoided doing so because of the time element, that these documents to which we have been alluding be appropriately marked and incorporated in this record.

Mr. WILLIS. It is so ordered.

Mr. ARENS. Are you now a Communist?

(The witness conferred with her counsel.)

Miss ABELSON. I claim the first and fifth amendments.

Mr. ARENS. Now just another question or two, and then we will be finished. This is with reference to your present employment. Was your present job obtained for you by a person known by you to be a member of the Communist Party?

I want to say, so this record is absolutely clear, I have no knowledge on this subject at all.

(The witness conferred with her counsel.)

Miss ABELSON. My present job wasn't obtained for me by anybody. I obtained it myself, and I have not—

Mr. ARENS. I am very glad to hear that. I am glad this record reflects this. I don't want anything that I have said here to indicate that I have any knowledge that this school up there is bad in any sense, because I don't know.

Did you have any discussion with your employers at this school, where these girls are, respecting your past affiliations with any organizations?

(The witness conferred with her counsel.)

Miss ABELSON. Although I don't have to answer that question, I would want to, because I want to say that I have not discussed my past affiliations with my employer, and I want to say that certainly I would think that it is a constitutional right that people are allowed to hold private their own political beliefs, and I have held that right private; that what my political beliefs are, are my own, and my own beliefs.

Mr. ARENS. Aside from political beliefs, did you discuss with them any conspiratorial activities of yourself in the Communist Party?

Miss ABELSON. Certainly not. I have not discussed any beliefs, any personal beliefs, of mine, whatsoever.

Mr. ARENS. And did you make known to them the fact that you were executive secretary of the Western Pennsylvania Committee for Protection of Foreign Born?

(The witness conferred with her counsel.)

Miss ABELSON. I don't want to make any admissions, and I don't want to make any statements here about any affiliations—

Mr. ARENS. Did you give them your previous employment?

Miss ABELSON. But I want to state clearly—no, I did not.

Mr. ARENS. You did not give them your previous employment?

Miss ABELSON. No, I did not.

Mr. VELDE. Do you mean to say that you are under the illusion that the Communist Party is a political party?

Miss ABELSON. I claim the first and fifth amendments.

Mr. WILLIS. Let me say that I am glad counsel asked that last question about your employer, and he very frankly said we had no knowledge about their activities.

Mr. VELDE. I feel, Mr. Chairman, that the record should reflect that the committee feels that the testimony which has been given by this witness should not reflect upon the integrity of the institution by which this witness is employed.

Mr. WILLIS. You are absolutely right. On the other hand, as far as this committee is concerned, our job is to continually study the operations and machinations of the Communist conspiracy wherever it leads us, and whoever might be affected thereby, including the present witness and the others we have called and will continue to call. It is not an inquiry into any particular facet of our society. We go wherever the testimony leads us. Let the chips fall where they may.

The subcommittee will stand in recess until 2 o'clock.

(Whereupon, the subcommittee recessed at 12:25 p. m., to reconvene at 2 p. m., the same day.)

(Present at the taking of the recess: Representatives Willis and Velde.)

AFTERNOON SESSION—WEDNESDAY, NOVEMBER 28, 1956

(2 p. m. Present at the convening of the afternoon session: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

Counsel will call his next witness.

Mr. ARENS. Bessie Steinberg, kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

MISS STEINBERG. I do.

**TESTIMONY OF MISS BESSIE STEINBERG, ACCOMPANIED BY
COUNSEL, HYMEN SCHLESINGER**

MR. ARENS. Please identify yourself by name, residence, and occupation.

MISS STEINBERG. My name is Bessie Steinberg. My residence is No. 6 Wellsford Street, Pittsburgh, Pa. As to my employment, I wish to claim the fifth amendment for the reason that the counsel has indicated that he considers the Western Pennsylvania Committee for Protection of Foreign Born a subversive organization, and I do not wish to admit or deny any association with that organization.

MR. ARENS. How did you happen to mention the Western Pennsylvania Committee for Protection of Foreign Born in response to the question as to your employment? What prompted that to come to your mind?

MISS STEINBERG. That is on my subpoena, sir.

MR. ARENS. I see. Well, now, this subpoena is a subpoena duces tecum, is it not, Miss Steinberg?

MISS STEINBERG. Yes, it is.

MR. ARENS. Incidentally, you are represented by counsel?

MISS STEINBERG. That is right.

MR. ARENS. Kindly identify yourself.

MR. SCHLESINGER. I am Hymen Schlesinger. I would like to ask if this microphone is turned on during consultation between counsel and client. There are many conversations—

MR. ARENS. Just put your hands over it.

MR. SCHLESINGER. I am wondering whether or not it would be taken down by this microphone or any of them and taken down on tape. I think the consultations between counsel and client are privileged.

MR. CHAIRMAN. I would like to ask the committee if there is any possibility that the conversations or consultations between counsel and client are being recorded over any microphone here.

MR. WILLIS. That is a question of physics. If you do not like it, turn it off, as far as I am concerned. How can I rule such a possibility? There is no such intent.

MR. ARENS. Please tell the committee, have you produced the records which are called for in the subpoena which was served upon you?

MISS STEINBERG. I claim the fifth amendment.

MR. ARENS. Are you the executive secretary of the Western Pennsylvania Committee for Protection of Foreign Born?

MISS STEINBERG. I claim the fifth amendment.

MR. WILLIS. Mr. Counsel, you may put your hand on the microphone. I am sure if there is anything audible, I have not heard it.

MR. SCHLESINGER. It isn't a question of whether there is anything audible. But it is a question of there are four microphones at the table. Some microphones are so sensitive they can pick up a whisper at the end of the room. This particular microphone which Your

Honor has directed me to turn off may physically be turned off. But that does not answer as to what the character of the microphones at the counsel table is here with reference to these other three.

Mr. ARENS. Miss Steinberg, I would like to invite your attention to certain documents. The first is a contract of rental (dated April 30, 1956) between the Western Pennsylvania Committee for Protection of Foreign Born and the Union Real Estate Co., of Pittsburgh. This contract of rental bears the signature of the executive secretary of the Western Pennsylvania Committee for Protection of Foreign Born, and the signature affixed there is that of Bessie Steinberg. Please look at this document which Mr. Appell will exhibit to you, and see if you can't help the committee by verifying the authenticity of that document?

(Document marked "Exhibit No. 247," see appendix, p. 7518.)

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Who was the lady you were just speaking to in the hearing room about a minute or so before you actually were sworn as a witness?

Miss STEINBERG. I claim the first amendment.

Mr. ARENS. She was your predecessor in the Western Pennsylvania Committee for Protection of Foreign Born; wasn't she?

Miss STEINBERG. I claim the first amendment.

Mr. ARENS. Could you tell us the name of the witness who preceded you at the witness stand?

Miss STEINBERG. I claim the first amendment.

Mr. ARENS. You know who that was. That was Evelyn Abelson; was it not?

Miss STEINBERG. I claim the first amendment.

Mr. ARENS. Do you honestly feel if you tell this committee truthfully whether or not you know Evelyn Abelson you would be supplying information that could be used against you——

Miss STEINBERG. I will claim the first amendment.

Mr. ARENS. Wait until I complete the question.

I will start over again. Do you honestly feel that if you told this committee while you are under oath whether or not you know Evelyn Abelson you would be supplying information which might be used against you in a criminal proceeding?

Miss STEINBERG. I am saying that I am claiming the right of free speech and association, and I am claiming the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question.

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. I would like to invite your attention to another document. It is a photostatic copy of The Lamp (February–April 1956, p. 3) of the American Committee for Protection of Foreign Born, setting forth the various committees of that organization, and the activities of the various organizations affiliated with the American Committee for Protection of Foreign Born. I see here in this document the Western Pennsylvania Committee for Protection of Foreign Born on March 25, 1956, held a testimonial dinner for the attorneys

for the committee, and I would like to ask you to look at that and tell us whether or not you were in attendance at that session.

(Document marked "Exhibit No. 248," see appendix, p. 7519.)

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, in view of the state of this record in which we have caused the record to reflect the signature of this witness on a rental agreement identified as executive secretary of the Western Pennsylvania Committee for Protection of Foreign Born, I ask that she now be ordered to produce the documents called for in the subpoena duces tecum which was served on her.

Mr. WILLIS. You are ordered to produce the documents listed on the subpoena.

(The witness conferred with her counsel.)

Miss STEINBERG. Since I am ordered to do so, I will produce them, but I do it under protest, and I do it under protest on the grounds that I stated in my petition or motion to quash this very subpoena in the Federal district court.

Mr. ARENS. Would you kindly turn those over, now, to Mr. Donald Appell of this committee?

And, Mr. Appell, as you receive them, will you mark them as exhibits?

Where did you get these documents?

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Are these the documents of the Western Pennsylvania Committee for Protection of Foreign Born?

Miss STEINBERG. I claim—

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. That is precisely what the subpoena calls for. She is now trying to purge herself of contempt of the committee by producing certain documents.

Mr. WILLIS. What is the pending question?

Mr. ARENS. The question is, Are these documents which she has just turned over to the committee the documents of the Western Pennsylvania Committee for Protection of Foreign Born?

Mr. WILLIS. You are ordered to answer that question.

(The witness conferred with her counsel.)

Miss STEINBERG. Since this organization, as I said before, has been designated by the counsel as subversive, I feel I must claim the fifth amendment. And in connection with—that is, in connection with any relationship to that organization.

Mr. ARENS. The outstanding question is are these documents documents of the Western Pennsylvania Committee for Protection of Foreign Born?

That is precisely what the subpoena calls for and that is precisely what you have to produce in order to purge yourself of contempt of this committee.

(The witness conferred with her counsel.)

Miss STEINBERG. I have produced these on the order of the committee and the documents speak for themselves.

Mr. ARENS. Mr. Chairman, I respectfully suggest the record now show an order and direction to the witness to answer that question.

Mr. WILLIS. You are ordered, for the final time, to answer that question. It is very vital. It is very material.

Miss STEINBERG. Does the chairman recognize the point that I made in relation to my claim for the fifth amendment and the ground on which I claim it?

Mr. WILLIS. That is not the question. The question is a simple one.

Miss STEINBERG. I would ask you, sir, whether it isn't true that the organization, the Western Pennsylvania Committee for Protection of Foreign Born, has not been designated as a subversive organization at this hearing, and, therefore, whether I do not have the right to protect myself against self-incrimination by claiming the fifth amendment.

Mr. ARENS. So this record is complete, let me say that Mr. Abram Flaxer, of the United Public Workers, has been convicted, and his conviction is on appeal on this very issue. We don't want to take advantage of you. But if you do not respond that these documents which you have transmitted to this committee are the documents called for in the subpoena, you run the risk of facing the same situation as Mr. Abram Flaxer. He has been convicted on this very issue.

(The witness conferred with her counsel.)

Mr. ARENS. Mr. Chairman, while she is conferring with the counsel, I respectfully suggest that these documents which have been transmitted by this witness to the committee, and which Mr. Appell is currently marking, be ordered incorporated in this record either by reference or in the appendix.

Mr. WILLIS. It is so ordered.

(Documents marked "Exhibits Nos. 249-259," see appendix, pp. 7520-7539.)

Miss STEINBERG. The question that was asked me is a catchall question. It covers all of the material that was submitted. I will answer as to each piece of material that was submitted.

Mr. ARENS. Did you produce before the committee the letters and copies of letters, and correspondence, between the Western Pennsylvania Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born?

Miss STEINBERG. I produced all of the material that I could in answer to the subpoena duces tecum.

Mr. ARENS. Have you produced the excerpts of all the minutes and meetings of the Western Pennsylvania Committee for Protection of Foreign Born?

Miss STEINBERG. I produced all of the material I was able to produce in answer to the subpoena.

Mr. ARENS. What was the limitation upon your ability to produce some of it?

Miss STEINBERG. There was no limitation on my ability to produce whatever material I could produce.

Mr. ARENS. Do you have some more material in your possession and custody in the courtroom now——

Miss STEINBERG. I do not.

Mr. ARENS. Of the Western Pennsylvania Committee for Protection of Foreign Born?

Miss STEINBERG. I do not.

Mr. ARENS. Are you a Communist?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Miss Steinberg, Reuben J. Hardin testified in June of last year under oath that he knew you as a Communist. Was he lying or was he telling the truth?

(The witness conferred with her counsel.)

Miss STEINBERG. Not only he but also Matthew Cvetic and Joseph Mazzei testified——

Mr. ARENS. Just tell us now if they told the truth when they identified you as a Communist.

Miss STEINBERG. One of them is a mental case and one of them is a liar, so-called by the Attorney General of the United States.

Mr. ARENS. Tell this committee whether or not Reuben J. Hardin lied when he identified you as a Communist.

(The witness conferred with her counsel.)

Miss STEINBERG. I think just as in the case of Mazzei, it is for the courts to decide whether Mr. Hardin is telling the truth or not. As to my answer here to the committee, I will have to claim the privilege of the fifth amendment.

Mr. ARENS. You are not under compulsion to claim anything now. Just tell this committee whether or not Mr. Hardin told the truth when he said under oath that he knew you as a Communist.

(The witness conferred with her counsel.)

Miss STEINBERG. I have answered the question. I have claimed the fifth amendment.

Mr. ARENS. Mr. Cvetic, I see you are in the hearing room. Will you stand up back there?

Now, Miss Steinberg, is this the man that you just condemned a few moments ago?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Is this the man that swore that he knew you as a Communist?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Do you honestly feel you would be supplying information which might be used against you in a criminal proceeding if you answered that question?

Miss STEINBERG. I claim the fifth amendment. The fifth amendment protects me against self-incrimination.

Mr. ARENS. Do you know Steve Murin?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. And do you know Evelyn Abelson?

Miss STEINBERG. I claim the fifth amendment, and the first amendment.

Mr. ARENS. Where did you get the exhibits which you have just transferred to the custody of the committee?

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Did you get them at your home?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Who are the officers of the Western Pennsylvania Committee for Protection of Foreign Born?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Where do you have your office during the course of the day?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Where was this subpoena served upon you; do you recall?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, at this point, I respectfully suggest that the record reflect that this part of the subpoena duces tecum be incorporated in the record, which reflects that the subpoena was served upon this witness at 806 Renshaw Building, Pittsburgh, Pa., and I have in my hand now a document which I ask to be incorporated in the record, the business-reply envelope of the Western Pennsylvania Committee for Protection of Foreign Born, 806 Renshaw Building, Pittsburgh, Pa.

Would you look at this business-reply envelope and tell the committee whether or not that accurately identifies the business address of the Western Pennsylvania Committee for Protection of Foreign Born?

(Documents marked "Exhibits Nos. 260a, b and 261," see appendix, pp. 7540-7542.)

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Now, I see here among these exhibits which you have transferred to the committee, "Gus Santes Deportation Frameup Exposed." Was the case against Gus Santes all a frameup?

(The witness conferred with her counsel.)

Mr. ARENS. This is the leaflet of the Western Pennsylvania Committee for Protection of Foreign Born.

Miss STEINBERG. Speaking from my own knowledge of what I have read in the local newspapers, my opinion is that it is.

Mr. ARENS. Now, do you have any other knowledge of the Santes case?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. Yes. You opened the door. You are directed to answer the question.

(The witness conferred with her counsel.)

Miss STEINBERG. I only testified as to my knowledge of what I read in the newspapers. That is the only thing I can testify to.

Mr. ARENS. And do you have any other knowledge of the Santes case?

Miss STEINBERG. I am claiming the fifth amendment.

Mr. ARENS. Mr. Appell is going to display to you an exhibit which you gave to the committee. In this exhibit we see a call for people to write their Congressmen, a list of certain Congressmen who were to be contacted, to "end the menace" of the Walter-McCarran law, all under the auspices of the Western Pennsylvania Committee for Protection of Foreign Born. Tell us, did you prepare that leaflet?

(The witness conferred with her counsel.)

Miss STEINBERG. The leaflet, as I see it, is a reprint of newspaper articles.

Mr. ARENS. Yes. Did you prepare it?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. I lay before you a document which you have presented to the committee, addressed "Dear Senator," by Jack Sartisky, of the Western Pennsylvania Committee for Protection of Foreign Born, urging that the Senator, and I assume other recipients of this document, participate in memorializing Congress to repeal the pro-

visions of the McCarran-Walter Act, certain provisions of the McCarran-Walter Act. Look at that document and see if you can help us, and tell us who is the man that wrote that document.

(See exhibit No. 255, appendix, p. 7532.)

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Still another document I have here which you turned over to us is a call for a national conference on immigration matters, under the auspices of the American Committee for Protection of Foreign Born. This national conference is to be held, according to this document, in Detroit, Mich., December 10 and 11. Did you attend that session? That is 1955. Did you attend that session?

(See exhibits Nos. 258a, b, appendix, pp. 7537, 7538.)

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Now I have here a pamphlet which you have just produced to the committee—remember, the subpoena calls for all documents of the Western Pennsylvania Committee but this happened to be in this group that you sent to us—The Inhumanity of the Walter-McCarran Law, a pamphlet for 25 cents, all under the authorship of Abner Green.

Another. The Walter-McCarran Law, Police State Terror Against the Foreign Born Americans, by Abner Green.

Another one by Abner Green, In Defense of the Right To Defend Foreign Born Americans.

Here is another one: The Man Is Sentenced to Death by the Walter-McCarran Act.

Doesn't this show you that the Western Pennsylvania Committee for Protection of Foreign Born must have some connection with the American Committee for Protection of Foreign Born?

(The witness conferred with her counsel.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Did you attend the national legislative conference of the American Committee for Protection of Foreign Born in Washington, D. C., on March 27, 1955?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. According to these documents which you have turned over to the committee, there was such a conference. And then was there a conference, the National Conference of Defense Committees, in New York City (June 18–20, 1954; June 10, 11, 12, 1955), under the auspices of the American Committee for Protection of Foreign Born, all for the purpose of defending the rights of the foreign born?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Was there another one, another conference in New York in 1954, "The racist aspects of the Walter-McCarran law"? It is a conference in New York (June 18, 19, 20, 1954). Did you attend that one?

Miss STEINBERG. On all questions in connection with the American Committee for Protection of Foreign Born—

Mr. ARENS. I beg your pardon?

Miss STEINBERG. I said in connection with all questions concerning the American Committee for the Protection of Foreign Born, I must claim the privilege of the fifth amendment.

Mr. ARENS. Can you tell us whether or not you were in attendance at these conferences?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. You feel that if you told us whether or not you were in attendance at these conferences, you might be supplying information which could be used against you in a criminal proceeding; is that correct?

Miss STEINBERG. I am claiming the fifth amendment.

Mr. ARENS. You didn't attend these conferences as an undercover agent for the Federal Bureau of Investigation; did you?

Miss STEINBERG. Why did you ask a question like that?

Mr. ARENS. Now I see here something I hadn't known about before on this activity, a joint forum of Baltic-Americans on the Walter-McCarran immigration and naturalization law held January 8, 1956, in New York City, all under the auspices of the American Committee for Protection of Foreign Born.

There is a campaign bulletin here calling for repeal of the Walter-McCarran Act.

Can you tell us, what these groups are, these Baltic-American groups that were called together under the auspices of the American Committee for Protection of Foreign Born?

Miss STEINBERG. I told you, sir, that in connection with the American Committee for Protection of Foreign Born, I feel I must claim the fifth amendment.

Mr. ARENS. Then let's get on to another subject for the moment. I have here a letterhead that you have turned over to us of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims, held in Chicago (December 12 and 13, 1953). Did you attend that conference?

(See exhibit No. 259, appendix, p. 7539.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. I have here a petition on "Repeal the Walter-McCarran law. We, the undersigned, call upon the United States Senate and House of Representatives to" do certain things with reference to the Walter-McCarran law. Did you get up this leaflet?

(See exhibit No. 250, appendix, p. 7522.)

Miss STEINBERG. I don't know what you are talking about.

Mr. ARENS. Did you participate in the preparation of this leaflet? (The witness conferred with her counsel.)

Miss STEINBERG. This is from the American Committee for Protection of Foreign Born. I claim the fifth amendment.

Mr. ARENS. Now I have here a bulletin which you have turned over to us.

STATE LEGISLATURES.

The Walter-McCarran Law is Federal legislation adopted by the United States Congress * * * State and local legislators, however, can make important contributions to the fight to repeal or amend the Walter-McCarran Law. This can be done by the legislature adopting a MEMORIAL TO CONGRESS, or perhaps a special resolution to memorialize Congress.

It calls upon the recipients of this to take action now, and there are enclosed, curiously, resolutions which were introduced in the Commonwealth of Massachusetts, the City Council of Philadelphia, the New York State Assembly, the New Jersey State Senate, and the Pennsylvania State House of Representatives.

(See exhibit No. 6a, appendix, p. 7091.)

Now, why don't you serve your Government by telling your Government what knowledge, if any, you have of the participation of the Communist conspiracy in undertaking to procure the enactment of these resolutions?

Miss STEINBERG. I am afraid I don't understand that question.

Mr. ARENS. All right. We will take it one by one.

Miss STEINBERG. All right.

Mr. ARENS. Are you aware of the fact that the American Committee for Protection of Foreign Born has participated in trying to get resolutions through State legislatures and city councils, memorializing Congress to repeal the McCarran-Walter Act?

Miss STEINBERG. Is there anything wrong in that?

Mr. ARENS. Just answer the question. If there isn't anything wrong, why don't you tell us that you are aware of it.

(The witness conferred with her counsel.)

Miss STEINBERG. Well, the reason I asked is because you are asking questions about revision and repeal activities. I want to know whether that is considered subversive.

Mr. ARENS. What we want to know is what part the Communist conspiracy has had in this drive. That is what we are trying to develop here.

Miss STEINBERG. To revise and repeal legislation?

Mr. ARENS. Yes, by the Communists.

Miss STEINBERG. Do you mean that is considered subversive activity?

Mr. ARENS. Yes, by the Communists.

Miss STEINBERG. It is?

Mr. ARENS. Yes, ma'am. The activity of the Communist operation in this country is subversive. We want to know what part that subversive network has had in undertaking to subvert the security program of this Government. That is why you are here.

Miss STEINBERG. I have to take issue with you on that, sir. I think anybody, regardless of his political beliefs, opinions, affiliations, has a right to petition their government for a redress of grievances, and that includes—

Mr. ARENS. And the American people have a right to know what the Communists are doing in this regard.

Miss STEINBERG. And that includes the right of petition or repeal for revision of any law, including the Walter-McCarran law.

Mr. ARENS. Yes, ma'am. You are perfectly right about that. Now you just tell us what you have done to cause the repeal or amendment of the Walter-McCarran law. You tell us that. You have a perfect right to do that. Tell us what you have done.

(The witness conferred with her counsel.)

Miss STEINBERG. As to my activities, I am going to claim the fifth amendment.

Mr. ARENS. Of course you are.

Mr. VELDE. Why do you claim the fifth amendment when you say it is not illegal to petition for redress of grievances?

Miss STEINBERG. Because certain organizations have been termed as subversive.

Mr. VELDE. You have just admitted that it could not possibly lead you to any criminal prosecution. Why can't you answer now?

Miss STEINBERG. Counsel said that. I don't agree with counsel, but counsel said that.

Mr. VELDE. You said yourself there is nothing wrong in petitioning for redress of grievances.

Miss STEINBERG. There isn't anything wrong, but I respectfully submit that if counsel says that certain organizations that have conducted repeal or revision activities are subversive, then I must claim the fifth amendment.

Mr. ARENS. Is the Western Pennsylvania Committee for Protection of Foreign Born Communist controlled?

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. I have another leaflet here, The Walter-McCarran Law—Strait Jacket for American Liberties, by the New York Committee for Protection of Foreign Born. Tell us how you happened to have that leaflet in western Pennsylvania, of the New York Committee for Protection of Foreign Born. Is there some relationship between your organization and the New York committee?

(See exhibit No. 114a, b, appendix, pp. 7296, 7297.)

Miss STEINBERG. I claim the fifth amendment.

Mr. ARENS. Now without telling any organizations in response to this question, with which you may be identified, just tell the number of conferences you have been in in the course of the last year or two, for the purpose of causing changes in the Walter-McCarran law.

Miss STEINBERG. I have to claim the fifth amendment on that for the same reason.

Mr. ARENS. Have you been in such conferences?

Miss STEINBERG. And the first amendment.

Mr. ARENS. Have you been in such conferences?

Miss STEINBERG. I must claim the first and fifth amendments.

(The witness conferred with her counsel.)

Mr. ARENS. Do you have any employment from which you receive an income?

Miss STEINBERG. I have to claim the fifth amendment on that question.

Mr. ARENS. How long have you known your lawyer?

Miss STEINBERG. I claim the fifth amendment on that question.

Mr. ARENS. Have you ever served the Communist Party with him?

Miss STEINBERG. I claim the fifth amendment on that question.

Mr. SCHLESINGER. I must object. I think that is an attack on the right of counsel, Mr. Chairman, and I want to record the objection for the record.

Mr. ARENS. Yes. Counsel will have an opportunity to be sworn in a little while.

We will see about that in a few moments, Counsel.

Mr. SCHLESINGER. I will certainly be glad to be sworn, but I still want to object.

Mr. ARENS. We want you to be just as vociferous, to be just as fluid, and talk just as forthrightly in a few moments when you are under oath as you do now when you are not under oath.

Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. I have just a question or two.

Miss Steinberg, you filed a motion to quash the service of subpoena, as I understand it, in Pennsylvania?

Miss STEINBERG. Yes.

Mr. VELDE. Where was that filed?

Miss STEINBERG. In the Federal district court, the third circuit.

Mr. VELDE. What was the outcome of that?

Miss STEINBERG. The motion was denied.

Mr. VELDE. Thank you. That is all.

Mr. WILLIS. The net effect of the ruling of the court was that the Federal court sustained the right of this committee to compel you to bring these documents.

That was the net result?

Mr. SCHLESINGER. I assume that is a fair interpretation and the court's language.

Mr. VELDE. And, therefore, do you believe in our Federal court system?

Miss STEINBERG. I certainly do, sir.

Mr. VELDE. And the Federal court denied your motion?

Miss STEINBERG. They did.

Mr. VELDE. Then why did you not bring in all the records which were subpoenaed?

Miss STEINBERG. I did. I did, sir. I submitted them.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Hymen Schlesinger.

Mr. Schlesinger, would you kindly raise your right hand and be sworn?

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHLESINGER. I do.

TESTIMONY OF HYMEN SCHLESINGER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SCHLESINGER. My name is Hymen Schlesinger. I live at Rural Delivery 6, Butler. I have an office for the practice of law in the city of Pittsburgh, Pa.

Mr. ARENS. You are appearing today in response to a subpoena that was served upon you, Mr. Schlesinger?

Mr. SCHLESINGER. That is correct.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. SCHLESINGER. Mr. Chairman, in view of the fact that there are pending proceedings against me in which I have claimed the fifth amendment as to that very question, in view of the fact that certain paid professional informers, such as Joseph Mazzei and Matthew Cvetic have stated that I am a Communist, I am claiming the fifth amendment.

Mr. ARENS. Is one of these persons that has accused you a person by the name of George E. Dietze?

Mr. SCHLESINGER. There was such a person that appeared as a witness against me.

Mr. ARENS. And did he testify that he knew you as a member of the Communist conspiracy?

Mr. SCHLESINGER. Mr. Chairman, I think it would be unfair to disclose the details—

Mr. ARENS. You started it. You opened the door. Answer the question whether or not Dietze identified you as a Communist.

Mr. SCHLESINGER. Well, Mr. Chairman, I stated the reason—

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question as to whether or not Dietze identified him, Schlesinger, as a Communist.

Mr. WILLIS. You are an expert lawyer in this field, and you made a certain remark for your protection, and you have opened the door. You cannot shield yourself from this. You talked about paid informers for the record, and for the effect, and you opened the door. Of all lawyers, you know the result.

Mr. SCHLESINGER. I did not identify the proceeding. I simply stated what is a matter of public record in the newspapers.

Mr. ARENS. Is Dietze one of the men who identified you as a Communist?

That question is outstanding and I respectfully suggest he be ordered and directed to answer that question.

Mr. SCHLESINGER. If the committee directs me, I will have to answer, but I want to say that I did not identify the particular proceeding. As a matter of fact, I did not have any particular proceeding in mind.

Mr. ARENS. Now answer the question.

Mr. SCHLESINGER. I claim the fifth amendment.

Mr. WILLIS. Is there an outstanding suggestion for an order?

Mr. ARENS. The question was whether or not Mr. Dietze was one of the witnesses who identified this man as a Communist, and he has invoked the fifth amendment.

Now, when Dietze identified you as a Communist, was he lying or was he telling the truth?

Mr. SCHLESINGER. I must invoke the fifth amendment on that question, Mr. Chairman.

Mr. ARENS. Are you at this moment a Communist?

Mr. SCHLESINGER. I wish to invoke the fifth amendment and the first amendment and the sixth amendment, Mr. Chairman.

Mr. VELDE. Mr. Schlesinger, a minute ago you mentioned a paid informer by the name of Matt Cvetic that accused you, or something or other. Did he accuse you of being a Communist?

Mr. SCHLESINGER. Well, does the committee direct me to answer that question?

Mr. ARENS. You are supposed to answer all the questions.

Mr. WILLIS. Did you just so testify?

Mr. VELDE. You stated it yourself. You opened the door to it.

Mr. SCHLESINGER. No, I stated the grounds upon which I was claiming the fifth amendment; in view of what is public information, in view of what is a matter of public record, where the newspapers have carried the stories. I am not stating anything that is not a matter of record, and stating that in view of all this publicity and public record, I am claiming the fifth amendment.

Mr. VELDE. You are confusing public records with newspaper reports.

Mr. SCHLESINGER. Well, both.

Mr. VELDE. Did Matt Cvetic under oath ever accuse you of being a Communist Party member?

Mr. SCHLESINGER. Does Your Honor—does the committee direct me to answer that question?

Mr. ARENS. You are supposed to answer all the questions.

Mr. SCHLESINGER. I am claiming the fifth amendment. I stated the basis upon which the claim was made.

Mr. VELDE. I request that he be directed to answer the question.

Mr. WILLIS. I direct you to answer the question, because in your opening statement—and we can look back at this record—you said nothing about newspapers. You said in view of certain pending proceedings, and you did not identify them, and the fact that certain paid informers, including So-and-So, you had to take the fifth amendment. You are the one that said it, so I now order you to answer the question.

Mr. SCHLESINGER. Mr. Chairman, the newspapers have carried the stories that Matt Cvetic has testified against me in several proceedings, in each of which he has accused me of being a member of the Communist Party. Those proceedings include, as matters of public record which the whole world knows, congressional hearings and other proceedings, which it is not necessary for me to name.

Mr. ARENS. Now, was he lying or was he telling the truth?

Mr. SCHLESINGER. I claim the fifth amendment and the sixth amendment.

Mr. ARENS. You had a young lady sitting beside you a moment ago, Miss Bessie Steinberg. Did you ever serve in the Communist Party with her?

Mr. SCHLESINGER. I claim the first, fifth, and sixth amendments.

Mr. ARENS. And a few moments ago you had seated beside you a lady by the name of Evelyn Abelson. Did you ever serve in the Communist Party with her?

Mr. SCHLESINGER. I claim the first, fifth, and sixth amendments.

Mr. ARENS. Do you know the young lady who was sitting beside you a moment ago?

Mr. SCHLESINGER. That sounds like a trap question. I will have to claim the first, fifth, and sixth amendments.

Mr. VELDE. As a lawyer, how can you possibly claim that that is a trap question, to ask whether you know a certain individual?

Mr. SCHLESINGER. Counsel is trying to open the door. As a matter of fact, if I were to admit that I know any of these people, then that would be the takeoff point on which this committee would begin to crucify me. I have been under a severe attack in the city of Pittsburgh for representing these people. All of these cases I have handled, I have done at great expense, great loss, and a great sacrifice to me. The whole bar has shied away from accepting cases involving Communists. I think I am fulfilling the highest traditions of the profession of law in supplying counsel to these people when they can't get it anywhere else.

Mr. WILLIS. That is a fine speech, but it does not answer the question.

Mr. SCHLESINGER. What is the question, Your Honor?

Mr. VELDE. You say Miss Abelson is a Communist and that is the reason you are not going to admit you are acquainted with her?

Mr. SCHLESINGER. I don't recall having made that statement.

Mr. ARENS. You have lauded yourself here for representing these people as a lawyer. Was your representation of these people at the direction or suggestion of the Communist conspiracy——

Mr. SCHLESINGER. Well, in the first place, Mr. Counsel——

Mr. ARENS. Or by any person known by you to be a member of the conspiracy?

Mr. SCHLESINGER. In the first place, Mr. Counsel, I have not lauded myself for representing them. It is a duty which I have accepted willingly.

Mr. ARENS. You are discharging this duty by coincidence in the fulfillment of a suggestion by people who are in the Communist conspiracy?

Mr. SCHLESINGER. It is a duty which I——

Mr. ARENS. Just answer that question. Are you representing these people at the direction of the Communist Party?

Mr. SCHLESINGER. If you will let me answer it in my own way, I will be glad to answer it. If the counsel wants me to answer it in his way——

Mr. ARENS. Just tell this committee whether or not you are representing these people at the behest and at the direction of the Communist Party. You can answer that question.

Mr. SCHLESINGER. Are you referring to the people for whom I have been appearing today?

Mr. ARENS. Let's start with them. That is a good starting place.

Mr. SCHLESINGER. All right. What is your question?

Mr. ARENS. Are you representing them at the direction of a person known by you to be a Communist?

Mr. SCHLESINGER. I am representing each of them at his or her own individual request and as my duty as a lawyer, and member of the bar.

Mr. ARENS. Have you been requested to represent anyone here today by a person who, to your certain knowledge, is a Communist?

Mr. SCHLESINGER. I make no inquiry of anybody's political beliefs, Mr. Chairman. The only——

Mr. ARENS. I am not asking about anybody's political beliefs. I am asking whether or not your representation of these people here today is or has been at the solicitation of a person whom you know to be a Communist.

Mr. SCHLESINGER. Mr. Counsel, it seems to me that this badgering has one effect——

Mr. ARENS. There is no badgering. It is just evasive action on your part. Tell this committee whether or not you——

Mr. SCHLESINGER. I have stated to the committee that I am representing each one of these people at his request.

Mr. ARENS. Yes; and how many——

Mr. SCHLESINGER. Wait a moment. And if I am going to be criticized or attacked for my representing them, no lawyer in Ohio or Pennsylvania or elsewhere will undertake the representation of these people, and it will be a denial of the right of counsel.

Mr. ARENS. You know as well as I do there has been no criticism against you for representing these people. The query is: Is your representation at the behest of a person known by you to be a Communist?

Mr. SCHLESINGER. I think that is an unwarranted inference. It carries——

Mr. ARENS. Answer it anyway.

Mr. SCHLESINGER. I don't know. I make no inquiry of their political beliefs.

Mr. ARENS. Let's take them one by one. Do you know whether your client, Evelyn Abelson, is a Communist, and did you know it when she asked you to represent her?

Mr. SCHLESINGER. The simplest answer I can give you is that that question is in violation of a right——

Mr. ARENS. That question is not in violation of any right. You tell this committee whether or not you know Evelyn Abelson is a Communist.

Mr. SCHLESINGER. I was going to finish. It is a violation of the right of counsel. But I claim the fifth amendment on that question.

Mr. ARENS. In other words, if you told this committee whether or not you know that your client, Evelyn Abelson, is a member of the Communist conspiracy, you would be supplying information which could be used against you in a criminal proceeding?

Mr. SCHLESINGER. In view of what you, yourself, have stated, Mr. Counsel, the answer is obvious. Of course.

Mr. ARENS. Of course, you could be prosecuted criminally?

Mr. SCHLESINGER. On the basis of what you said. I do not admit it is true.

Mr. ARENS. Do you deny Evelyn Abelson is a member of the communist conspiracy?

Mr. SCHLESINGER. I make no admission or denial. I have claimed on the basis of the first, fifth, and sixth amendments, the right to represent them without any attack or criticism on the part of you or anybody else.

Mr. ARENS. Now, I want to direct your attention to a document, referring to the National Civil Rights Legislative Conference held in Washington in 1949. Look at that document and tell us whether or not you were a participant in that conference.

(Documents marked "Exhibits No. 262a-d," see appendix, pp. 7543-7546.)

Mr. SCHLESINGER. This doesn't ring a bell with me, Mr. Chairman, but I want to say that I would like to claim the first and fifth amendments with reference to any activity of the Civil Rights Conference, or Civil Rights Congress, in view of what has been stated today about the Civil Rights Congress.

Mr. ARENS. Irrespective of how bad the Civil Rights Conference is, if you haven't been connected with it, you certainly don't suggest to this committee that you have a right to invoke the fifth amendment with reference to any questions concerning the Civil Rights Congress.

Mr. SCHLESINGER. You asked me if I simply attended that conference.

Mr. ARENS. Yes, sir.

Mr. SCHLESINGER. That appears to be a pamphlet relating to a public gathering sponsored by the Civil Rights Congress.

Mr. ARENS. That is right. Yes, sir.

Mr. SCHLESINGER. I do not have any recollection of it.

Mr. ARENS. Thank you, sir.

Mr. SCHLESINGER. But, at the same time, I want to say that I neither admit nor deny, but in view of what has been stated about the Civil Rights Congress, I do claim the protection of the first and fifth amendments.

Mr. WILLIS. What has been stated?

Mr. SCHLESINGER. That the Civil Rights Congress is a subversive organization, Your Honor.

Mr. WILLIS. Is it true?

Mr. SCHLESINGER. I claim the first and fifth amendments on that.

Mr. VELDE. By whom has it been stated to be subversive?

Mr. SCHLESINGER. By counsel this morning.

Mr. VELDE. By whom else do you know it has been stated to be a subversive organization?

Mr. SCHLESINGER. I think counsel is the only one that has made the statement today, but the newspaper has carried stories that the Attorney General has cited this organization.

Mr. VELDE. You know that the Attorney General has cited this organization?

Mr. SCHLESINGER. I have read newspaper stories on that, Your Honor, and so have you.

Mr. VELDE. You know the Un-American Activities Committee has cited it?

Mr. SCHLESINGER. I think I saw a newspaper report about that, Your Honor, and I think you made a statement about the Civil Rights Congress which has been published in the press.

Mr. ARENS. Are you presently a member of the National Lawyers Guild?

Mr. SCHLESINGER. In view of the fact that the National Lawyers Guild, according to the newspapers, and according to the United States Supreme Court, has been cited by the Attorney General under the Internal Security Act, I claim the protection of the first and fifth amendments, as to that question.

Mr. ARENS. Now I want to invite your attention to a publication by this committee, a report on the National Lawyers Guild, Legal Bulwark of the Communist Party. On page 18 there, one of the officers of the National Lawyers Guild, indeed one of the executive board members, is listed as a Hyman Schlesinger of Pittsburgh, and over on the next page, the very next page, the executive board, Hyman Schlesinger, Pittsburgh. One is for the year 1949 and the other is for the year 1950. Look at that document and see if that correctly describes you.

Mr. SCHLESINGER. Mr. Counsel, you are directing my attention to pages 18 and 19 of this exhibit, according to what Mr. Appell handed me?

Mr. ARENS. Yes.

Mr. SCHLESINGER. And upon which pages appears to be, under the name of Pittsburgh, the name of Hyman Schlesinger, and on page 19 the name of Hyman Schlesinger, Pittsburgh, Pa.

Mr. ARENS. Yes. Is that you?

Mr. SCHLESINGER. In view of the answer that I gave to the last question, Mr. Chairman, that the National Lawyers Guild has been cited by the Attorney General, and proceedings are now pending in the courts, in the District of Columbia, in which it is alleged that the National Lawyers Guild is a Communist-front organization, and in view of the fact that the exhibit you have just handed me characterizes the National Lawyers Guild as a legal bulwark of the Communist Party, I must claim the protection of the first and fifth amendments.

Mr. ARENS. You don't know any other Hyman or Hymen Schles-

inger who is a lawyer in Pittsburgh who is a member of the National Lawyers Guild besides yourself, do you? Is there any other Hymen Schlesinger—

Mr. SCHLESINGER. I can only answer that question this way: I am the only Hymen Schlesinger that I know of in Pittsburgh who is a lawyer. But as to whether or not that answer carries an inference that I am a member of the Lawyers Guild, I will have to claim the first and fifth amendments.

Mr. ARENS. Now I would like to invite your attention, Mr. Schlesinger, to the Communist Daily Worker of August 16, 1951, Philadelphia Unionists Back Civil-Rights Rally, inviting labor to attend a civil-rights rally being held Thursday evening in Reynolds Hall.

Speakers include Hymen Schlesinger, noted Pittsburgh attorney, who faces prosecution under the Pennsylvania sedition law, and David Davis, business representative of Local 155 UE—

And so forth. Please look at this article and tell us whether or not you were one of the orators at this civil rights rally held in Philadelphia on August 16, 1951.

(Document marked "Exhibit No. 263," see appendix, p. 7547.)

Mr. SCHLESINGER. Looking at the exhibit, Mr. Chairman, which appears to be, according to the masthead, the Daily Worker of August 16, 1951, and in view of what has been said about the Civil Rights Congress, and the fact that the newspapers have also carried the story that Mr. David Davis has been convicted under the Smith Act as one of the Philadelphia officials of the Communist Party, I must claim the first and fifth amendments in response to your question.

Mr. ARENS. Have you ever been connected with the Citizens Committee To End the Stool Pigeon Racket, in Pittsburgh, Pa.?

Mr. SCHLESINGER. May I see what you are referring to?

Mr. ARENS. Yes.

Mr. SCHLESINGER. I take it, Your Honor, that there is some question as to whether or not the "stool-pigeon racket" is accurate?

Mr. ARENS. Just answer the question, please.

Mr. SCHLESINGER. The leaflet you handed me has the signature of the Citizens Committee To End the Stool Pigeon Racket, 212 Forbes Building, Pittsburgh, Pa.

Now, Mr. Chairman, reading over this material, it appears to contain a great deal of material about professional informers, namely Joseph Mazzei and Matt Cvetic, both of whom have been thoroughly discredited, the former of whom has been castigated by the Department of Justice and the United States Supreme Court.

Mr. ARENS. Why don't you, then, help in discrediting Mr. Mazzei by standing up here now while you are under oath and saying "Mazzei was a liar when he identified me as a Communist," and why don't you stand up here while you are under oath and say "Matt Cvetic was a liar when he identified me as a Communist." Why don't you do that?

Mr. SCHLESINGER. Are you defending the stool pigeons, Mr. Counsel?

Mr. ARENS. I am only asking you while you are under oath to stand up and deny that you are a Communist, in view of the fact that three people have identified you as a Communist?

Mr. SCHLESINGER. Because these people have had me arrested, these people have made charges against me, and they will do it again. I

just don't want to go through the continual, perpetual, torment of having to defend legal proceedings.

Mr. ARENS. Is that the only reason?

Mr. SCHLESINGER. Isn't that reason enough?

Mr. ARENS. Let's see now. Is that the only reason why you don't want to deny that—

Mr. SCHLESINGER. There is another reason I will be glad to give you.

Mr. ARENS. Let me have all the reasons, now that you have started on these reasons.

Mr. SCHLESINGER. This is the main reason.

Mr. ARENS. Give us all the reasons.

Mr. SCHLESINGER. I will give you the main reason.

Mr. Chairman, I have been attacked, in my opinion, by these people because I have accepted the representation of these unpopular minority people and groups, and lawyers in Pittsburgh have shied away from such cases. If any lawyer who accepts these cases is going to be subject to the attacks and criticisms that I have been subjected to today by these methods of insinuation and smear, I am certain that no lawyer will ever offer his services to represent an unpopular individual.

Mr. ARENS. When you were identified as a member of the legal commission of the Communist conspiracy by people who testified under oath, tell us if your failure to deny that was prompted by the feeling that you just expressed.

Mr. SCHLESINGER. The oath of Mazzei and Cvetic, Mr. Chairman, are very, very worthless.

Mr. ARENS. Just answer the question. Is that the only reason you won't take issue with Mazzei, Cvetic, and these other witnesses who laid their liberty on the line and identified you as a member of the legal commission of the Communist conspiracy? You just tell us. Mr. Dietze and there are others. You just tell us while you are under oath now, if the only reason why you won't take issue with them is because you don't like their character or because they are what you described as stool pigeons. Is there any other reason, any other possible reason why you won't take issue with them while you are under oath?

Mr. SCHLESINGER. Mr. Counsel, I have given you three reasons.

Mr. ARENS. Give me all the reasons. Is there any other reason lingering in the back of your mind why you won't deny while under oath—

Mr. SCHLESINGER. If there were no other reason but that the right of counsel is guaranteed by the Constitution, that would be sufficient in my judgment to justify—

Mr. ARENS. Isn't the true reason that you know if you deny while you are under oath that you are now a member of the legal commission of the Communist Party, that you would be committing perjury and would be sent to the penitentiary for it?

Mr. SCHLESINGER. I don't want to get into an argument with you. I do want to say this: These same informers will again desecrate their oath and the Constitution.

Mr. ARENS. Did they desecrate their oath when they identified you as a member of the Communist Party?

Mr. SCHLESINGER. If you will let me finish my answer—

Mr. ARENS. No; we want to get to that point.

Mr. SCHLESINGER. It is beneath my dignity to attempt to deny anything that Mr. Cvetic and Mazzei do. I think the Supreme Court has shown—

Mr. ARENS. Is it beneath your dignity to deny what Dietze said under oath when he identified you as a Communist? Let's protect your dignity as far as possible. How about Dietze? Is it beneath your dignity to deny? Is he a stool pigeon, too?

Mr. SCHLESINGER. If you use that word in reference to Mazzei and Cvetic, I see no difference between Mr. Dietze, Mr. Mazzei, and Mr. Cvetic. To me they are all birds of a feather.

Mr. ARENS. Tell me while you are under oath what you mean by a stool pigeon. Is a stool pigeon one who identifies you as a Communist?

Mr. SCHLESINGER. You have used the term. I am willing to accept your terminology.

Mr. ARENS. My terminology would be this. We have three men who have identified you under oath, and you tell this committee you don't want to deny the accusation because they are stool pigeons and it is beneath your dignity. I am asking you now to stand up like a red-blooded American, under oath, and tell us what is the reason you will not deny this.

Mr. SCHLESINGER. I am standing up like a red-blooded American—

Mr. ARENS. All right, you have stood up, and identified yourself as red-blooded. Now tell us whether or not you are a member of the Communist conspiracy.

Mr. SCHLESINGER. I want to say this. As far as Mazzei and Cvetic is concerned, they are absolutely unworthy of credibility.

Mr. ARENS. Did they lie when they said they knew you as a Communist? Did they lie?

Mr. SCHLESINGER. I have answered that a dozen times.

Mr. ARENS. Answer it again.

Mr. SCHLESINGER. I wouldn't believe any of those people at all, because they have testified a number of times, and the Department of Justice has characterized Mazzei as unworthy of belief, and Mr. Cvetic has been a mental patient in a hospital three times last year.

Mr. ARENS. Did they lie when they said you were a member of the Communist Party? Did they lie? That is the point.

Mr. SCHLESINGER. The Department of Justice said that Mr. Mazzei lies, and I think Mr. Cvetic's record speaks for itself.

Mr. ARENS. Don't evade any more. You have opened the door as wide as a barn door. We can walk through it and back again, and run a plow through it. Did Mazzei, Cvetic, and Dietze lie when they said you were a Communist? You tell this committee that, or we will stay here until you do.

Mr. SCHLESINGER. Well, I will invoke the fifth amendment since the committee's time is very valuable.

Mr. ARENS. Well, in other words, it is true, Mr. Schlesinger, that if you told the truth now while you are under oath, as to whether or not these three men lied, you would be supplying information which could be used against you in a criminal proceeding?

Mr. SCHLESINGER. To me that is a trap question. The only answer I can make is that I will claim the fifth amendment on that question.

Mr. ARENS. I just finished reading cases of the Supreme Court and

I want you to answer that question now. Do you honestly apprehend, sir, that if you told this committee truthfully while you are under oath whether or not Mazzei, Cvetic, and Dietze lied when they identified you as a Communist, you would be supplying information which could be used against you in a criminal proceeding?

I respectfully request or suggest the chairman to order you to answer that question.

Mr. SCHLESINGER. Mr. Chairman, let me say this, I have already said that I claim the fifth amendment on any of the statements that those gentlemen have made.

Mr. ARENS. Yes, but you have opened a whole new area of inquiry now, of your own volition.

Mr. SCHLESINGER. I haven't opened anything.

Mr. ARENS. Let me suggest, Mr. Chairman, that the witness be ordered and directed to answer the question as to whether or not he truly fears criminal prosecution if he denies while under oath the identification of himself by these witnesses.

Mr. WILLIS. That is a perfectly good question. Counsel knows it. He is not immune from any other fashion of testifying on other witnesses. He is now ordered and directed to answer the question.

Mr. SCHLESINGER. I will, if Your Honor will permit me to answer it and to finish an answer. Let me say first of these persons, Cvetic has already demonstrated his ability to begin a criminal prosecution against me.

Mr. WILLIS. That is not the question asked you.

Mr. SCHLESINGER. I will finish the question. Therefore, in view of the fact that Mr. Cvetic has brought a criminal prosecution, which is a matter of public record, the only answer I can give will be in the affirmative. He has already done it. I have no doubt but that this mental psychopath will do the same thing again. And why should I give him anything, any kind of grounds upon which to function?

As to Mazzei, I have already characterized Mr. Mazzei. But what disturbs me more, Mr. Chairman—

Mr. WILLIS. Your answer is that you fear that if you truthfully answered the question, the result would be to subject you to criminal prosecution?

Mr. SCHLESINGER. Not only do I fear it, but I have experienced it.

Mr. WILLIS. All right.

Mr. ARENS. Thank you, sir. Now let's get on to the next exhibit.

I want to invite your attention to a little proceeding back in 1951, as recorded in the Associated Press:

PITTSBURGH, May 25.—Judge Michael Musmanno yesterday held Attorney Hyman Schlesinger in contempt of court when the lawyer refused to say if he is or ever has been a member of the Communist Party.

Judge Musmanno put his question to Mr. Schlesinger after the Pittsburgh attorney appeared in court to plead a routine damage suit. Judge Musmanno asked him:

"Are you now or have you ever been a member of the Communist Party?"

Mr. Schlesinger told the judge the proceedings was without precedent and unconstitutional. Judge Musmanno replied:

"The oath [taken by attorneys] requires you to behave yourself in office with all good fidelity and requires your allegiance to the United States."

Judge Musmanno cited testimony of a former FBI agent during another trial and said it implicated Mr. Schlesinger. He said Mr. Schlesinger's conduct renders him unfit to try cases in court.

Judge Musmanno said he will sentence Mr. Schlesinger at a later date.

Did you refuse to tell a judge of the State court of which you are an officer, as a member of the bar, whether or not you are a Communist?

Mr. SCHLESINGER. Mr. Counsel, first I will claim the first and fifth amendments and sixth amendment on that.

Mr. ARENS. Don't make another speech. We don't need that.

Mr. SCHLESINGER. I was going to characterize Judge Musmanno's proceeding as the Supreme Court has characterized it.

Mr. ARENS. The next question is this: Were you a member of the Communist conspiracy when you had this little experience with Judge Musmanno in the court?

Mr. SCHLESINGER. I claim the first, fifth, and sixth amendments on that question.

I think it will shortcut the proceedings, Mr. Chairman, if we make it as simple as possible.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the stall interrogation of this witness.

Mr. VELDE. I have nothing further to say except to make a remark for the record, that a professional man, especially a lawyer, is a very dangerous person if he is a member of the Communist conspiracy. Certainly it appears to me that the witness we have just heard is a member of the Communist conspiracy. Again I want to say, as I did yesterday, that all of our security agencies, for the protection of this country, should continue their alertness in this particular case.

Mr. SCHLESINGER. Mr. Committee member, Mr. Velde, I should like to answer that.

Mr. VELDE. I did not ask you a question.

Mr. SCHLESINGER. I have been accused. I think in fairness to myself, I should be permitted to reply to that statement.

Will the chairman permit me to reply to that?

Mr. WILLIS. He made a statement for the record. You have been on the record for a long time.

The witness is excused.

The subcommittee will take an informal recess of 5 minutes.

(Present at the taking of the recess: Representatives Willis and Velde.)

(Brief recess.)

(Present after the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

Counsel will call his next witness, please.

Mr. ARENS. Mr. Joseph Rudiak.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUDIAK. I do.

TESTIMONY OF JOSEPH RUDIAK, ACCOMPANIED BY HYMEN SCHLESINGER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. RUDIAK. Joseph Rudiak, 1908 Jane Street, Pittsburgh; salesman, self-employed.

Mr. ARENS. You are appearing today, Mr. Rudiak, in response to subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. RUDIAK. What is the question?

Mr. ARENS. You are appearing today in response to a subpoena by the committee?

Mr. RUDIAK. That is right.

Mr. ARENS. You are represented by counsel?

Mr. RUDIAK. That is right.

Mr. ARENS. Will counsel kindly identify himself?

Mr. SCHLESINGER. With a great deal of pleasure. I am Hymen Schlesinger, of Pittsburgh.

Mr. ARENS. Mr. Rudiak, where were you served your subpoena? Do you recall?

Mr. RUDIAK. At my home.

Mr. ARENS. Is that 1908 Jane Street?

Mr. RUDIAK. That is right.

Mr. ARENS. Are you chairman of the Nationality Committee of Western Pennsylvania?

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the first and fifth amendment.

Mr. ARENS. Do you honestly feel that if you told this committee whether or not you were chairman of the Nationality Committee of Western Pennsylvania you would be supplying information which could be used against you in a criminal proceeding?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the last question.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. RUDIAK. In view of the fact that the organization that you are speaking about may be characterized in the newspapers as a subversive organization, I claim the fifth amendment, the first and fifth amendments.

Mr. ARENS. Now, Mr. Rudiak, I want to display to you a document which was obtained by this committee pursuant to a subpoena duces tecum, "Nationality Committee of Western Pennsylvania, Post Office Box 10781, Statement on the May 18 State Primary Elections," and the recipient of this is called upon to do all kinds of things with reference to the repeal of the Walter-McCarran Act, all the efforts of various groups in the country to destroy the Bill of Rights and pave the way for fascism, and the like.

This document bears the identification Joe Rudiak, chairman; Joe Mankin, secretary, Nationality Committee of Western Pennsylvania.

Please look at that and see if you can't help this committee of the Congress by verifying the authenticity of that document.

(Document marked "Exhibit No. 264," see appendix, pp. 7547, 7548.)

(The witness conferred with his counsel.)

Mr. RUDIAK. Where did you get it at?

Mr. ARENS. Just please tell this committee whether or not that is a valid, true, and correct document. Did you ever see the document before?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Now, Mr. Chairman, to continue to lay the foundation for reference to the subpoena duces tecum, I would like to request that the record at this point reflect a letter which is addressed to me as director of the House Committee on Un-American Activities, by the assistant postmaster at Pittsburgh, Pa., with reference to the box numbers and signature cards on file in that post office, for the Nationality Committee of Western Pennsylvania, which letter will speak for itself, but it says in essence that the person who can sign for it is Mr. Joseph Rudiak, whose residential address is 1908 Jane Street, Pittsburgh, Pa.

(Documents marked "Exhibits Nos. 265a, b," see appendix, pp. 7549, 7550.)

With that in the record, Mr. Chairman, I respectfully invite the witness' attention to the subpoena duces tecum itself.

Mr. Rudiak, the subpoena which was served upon you calls for you to appear personally and to produce before this committee excerpts from all meetings of the Nationality Committee of Western Pennsylvania during the period January 1, 1952, to October 20, 1956, showing all action taken and all considerations given to proposals to revise or repeal the Immigration and Nationality Act.

Do you have those documents under your custody and control?

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the fifth amendment, and also the first amendment. I don't deny or admit that I am chairman of the Nationality Committee of Western Pennsylvania. I don't know of any records. I don't know of any minutes of any kind. Again I want to say I claim the first and fifth amendments.

Mr. ARENS. Mr. Rudiak, are you now a Communist?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Do you know a person by the name of Reuben J. Hardin?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Under date of June 22, 1955, Reuben J. Hardin swore before the Subversive Activities Control Board in his testimony that he knew you as a Communist. Was he lying or was he telling the truth?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Who is Joe Mankin?

Mr. RUDIAK. I claim the fifth amendment and the first amendment.

Mr. ARENS. He is now deceased, isn't he, and he was formerly one of the officers of the Nationality Committee of Western Pennsylvania?

(The witness conferred with his counsel.)

Mr. ARENS. Now I want to invite your attention to a document which has come into the custody of the committee pursuant to a subpoena duces tecum. It is a statement of the Nationality Committee of Western Pennsylvania with reference to a number of legislative items then pending in the Congress. It is signed "Fraternalty yours, Joseph Rudiak, chairman, Joe Mankin, secretary."

It also announces a picnic to be held by this group. Look at that document and see if you cannot help this committee identify that organization.

(Document marked "Exhibit No. 266," see appendix, pp. 7551, 7552.)

(The witness conferred with his counsel.)

Mr. ARENS. While you are looking at that, I invite your attention also to another document, calling for a victory by the repeal of the

Walter-McCarran Act, the Taft-Hartley Act, and other antilabor legislation as part of the program of this Nationality Committee of Western Pennsylvania, and this, likewise, bears the signature with reference to the Nationality Committee of Western Pennsylvania.

(Document marked "Exhibit No. 267," see appendix, pp. 7553, 7554.)

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Now could you help your Government by telling, while you are under oath, if the Nationality Committee of the Communist Party of Western Pennsylvania, and the Nationality Committee of Western Pennsylvania are one and the same entities?

Mr. RUDIAK. What is the question again?

Mr. ARENS. Yes.

Mr. RUDIAK. Repeat the question.

Mr. ARENS. Is the Nationality Committee of Western Pennsylvania and the Nationality Committee of the Communist Party of Western Pennsylvania one and the same? Are they one and the same?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Did you appear before the platform committee of the Democratic Party in Pennsylvania on August 16, 1954?

Mr. RUDIAK. Will you repeat that again?

Mr. ARENS. Did you appear before the platform committee of the Democratic Party on August 16, 1954?

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. Of course.

You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. RUDIAK. Mr. Chairman, if you can refresh——

Mr. ARENS. Refresh your recollection?

Mr. RUDIAK. Yes.

Mr. ARENS. I am sorry, I thought perhaps you would have an immediate recollection of that. Here is a statement presented to the Democratic Party platform committee on behalf of the Nationality Committee of Western Pennsylvania, August 16, 1954, respectfully submitted, so it says, by Joseph Rudiak, chairman, Nationality Committee of Western Pennsylvania. It calls for a number of things. It calls for the repeal of the Walter-McCarran Act, because it denies everybody's rights, and it has second-class citizenship. It calls for repeal of the Taft-Hartley Act, and it calls for other legislative programs.

What I want to ask you is: When you submitted this to the Democratic platform committee on behalf of the Nationality Committee of Western Pennsylvania, did you make it known to the Democratic platform committee that you were a Communist agent?

(Document marked "Exhibit No. 268," see appendix, p. 7555.)

(The witness conferred with his counsel.)

Mr. ARENS. We recognize, of course, your right to appear before the Democratic platform committee, as any citizen's right. We just want to make sure that when you went in there, you went in under the right label.

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the fifth amendment on that question.

Mr. ARENS. Do you know Allan McNeil?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Allan McNeil was up for deportation here awhile back, wasn't he?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Did the Nationality Committee of Western Pennsylvania intercede on behalf of Allan McNeil while he was up for deportation as a Communist?

Mr. RUDIAK. I claim the first and the fifth amendments.

Mr. ARENS. Please look at this next exhibit, that Mr. Appell is going to show you, in which the Nationality Committee of Western Pennsylvania is soliciting contributions to help carry on the fight of Allan McNeil and other local victims of this "Un-American" law, the Walter-McCarran Act. Look at that and see if it might refresh your recollection. And I want to call to your attention, and particularly the record's attention, that the Nationality Committee and the Nationality Committee of Western Pennsylvania—in other words, the Nationality Committee of the Communist Party and the Nationality Committee of Western Pennsylvania both seem to be, by this document, located at the same place, 6328 Forbes Street, Pittsburgh, Pa. Look at the document and see if you can't help your Government by giving us a little verification of it.

(Document marked "Exhibit No. 269," see appendix, p. 7556).

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Is there some relationship between the Pennsylvania Committee for Protection of Foreign Born and the Nationality Committee of Western Pennsylvania, two organizations? I just wondered if you could help us here by telling us whether or not there is an interlocking relationship there.

Mr. RUDIAK. I claim the first amendment and the fifth amendment.

Mr. ARENS. Maybe this might help us on this, and perhaps you can give us a little explanation. I see here a statement issued to the platform committee of the Democratic Party of Pennsylvania by the Committee for the Protection of Foreign Born, Western Pennsylvania Chapter. This is signed by Evelyn Abelson, secretary, and the address is 6328 Forbes Street. That, you recall, is the address that was on the previous document of the Nationality Committee of Western Pennsylvania. See if you couldn't clear that up and help us here—how both organizations would happen to have the same address.

(Document marked "Exhibit No. 270," see appendix, p. 7557.)

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the first amendment and the fifth amendment.

Mr. ARENS. Do you know Evelyn Abelson?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Do you know Miss Steinberg?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. And your counsel, did you know him in any way other than in the relationship of attorney-client?

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the first, fifth, and sixth amendments.

Mr. ARENS. Do you honestly suggest to this committee that if you told us truthfully whether or not you have known your lawyer in

some capacity other than in the capacity of attorney-client, you would be supplying information which might be used against you in a criminal proceeding?

Mr. RUDIAK. I claim the first, fifth, and sixth amendments.

Mr. ARENS. Have you been president of the American Slav Congress of Western Pennsylvania?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. I have here a document that suggests that, and I want to invite your attention to it. It is the Slavie American, a quarterly, the summer of 1948 issue. We will mark this as an exhibit. We are going to display it to you.

We have celebrated a special event in western Pennsylvania which we feel merits some attention. Joseph Rudiak, our ASC president, recently honeymooned at the Progressive Party convention with his wife, the former Regina Bakowski, of Pittsburgh. They were married the day before the convention opened and left for Philadelphia to begin not only their new life together, but to join with thousands of progressive Americans in forming a new political party.

Is that you they are talking about here? Is that you they are talking about?

(Document marked "Exhibit No. 271a, b," see appendix, pp. 7558, 7559.)

Mr. RUDIAK. I would like to look at that.

Mr. ARENS. Yes. Look at it and see if you can't tell us whether or not that is you who was president of this Slavie-American organization.

(The witness conferred with his counsel.)

Mr. ARENS. Does that ring a bell? Does that kind of refresh your recollection?

Mr. RUDIAK. I claim the first and fifth amendments, and I wish you would have privilege for married people.

Mr. ARENS. I beg your pardon?

Mr. RUDIAK. I wish you had privilege for married people.

Mr. ARENS. What is your wife's name, just from the standpoint of identification?

Mr. RUDIAK. Regina.

Mr. ARENS. What was her maiden name?

Mr. RUDIAK. Bakowski.

Mr. ARENS. And were you married in the summer of 1948?

Mr. RUDIAK. Yes.

Mr. ARENS. Thank you.

Are you one of the sponsors of the Civil Rights Congress in Pittsburgh, the Pittsburgh Civil Rights Congress?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Do you recall when they had the trial down in New York City of the Communist traitors that were convicted under the Smith Act, conspiring to overthrow the Government by force and violence? Do you recall that?

Mr. RUDIAK. What was your question?

Mr. ARENS. Do you recall the incident or the series of incidents, when the Government prosecuted, and they were convicted, that number of Communist traitors in New York City, in Judge Medina's court? Do you recall that?

Mr. RUDIAK. What trials?

Mr. ARENS. The Smith Act.

(The witness conferred with his counsel.)

Mr. ARENS. Do you recall it? Do you remember it?

(The witness conferred with his counsel.)

Mr. RUDIAK. How many cases were there?

Mr. ARENS. A number. Do you recall the principal cases down there?

(The witness conferred with his counsel.)

Mr. ARENS. The first one, where they had about 11 or 12 of them up?

Mr. RUDIAK. I read about them.

Mr. ARENS. Is that the only thing that you knew about them?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. You sent a vigorous protest down there to Judge Medina against the conviction and jailing of these traitors; did you not?

Mr. RUDIAK. Well, do you have anything there?

Mr. ARENS. Do you deny it?

(The witness conferred with his counsel.)

Mr. RUDIAK. I don't admit it and I don't deny it.

Mr. ARENS. Do you recall also on behalf of the American Slav Congress of Western Pennsylvania wiring Judge Medina with respect to three Communist leaders, stating "We need no lessons that you have learned from Hitler Germany," in reference to the jailing of these Communist traitors? Do you recall that?

(The witness conferred with his counsel.)

Mr. RUDIAK. To refresh my recollection, I would like to see the articles.

Mr. ARENS. I just asked you if you recall. I just have one of them here, but notations on the others.

Show him this, would you please, Mr. Appell. Maybe it will refresh his recollection, and maybe he will be truthful with us and tell us whether he did it.

(The witness conferred with his counsel.)

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. It didn't help you at all, then, by looking at that article, did it?

Now I want to lay before you some other exhibits.

THE COMMITTEE TO PROTECT JOSEPH MANKIN'S CITIZENSHIP

For further information relative to this case, communicate with Evelyn Abelson, 8328 Forbes Street.

(See exhibit No. 240, appendix, p. 7501.)

Do you know a Joe Mankin?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. What did you do, now, to help stop the denaturalization of this Communist? Did you do anything to help stop the denaturalization or try to stop it, I should say?

Mr. RUDIAK. I claim the first and fifth amendments.

Mr. ARENS. Did I ask you if you know George Dietze?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. Mr. Dietze swore that he knew you as a Communist. Was he lying or was he telling the truth?

Mr. RUDIAK. I claim the fifth amendment.

Mr. ARENS. I don't think the record is quite clear what it is you do for a livelihood, besides the extracurricular activities. From what source is your income?

Mr. WILLIS. He said he was a salesman.

Mr. ARENS. What do you sell?

Mr. RUDIAK. Specialties.

Mr. ARENS. What kind of specialties.

Mr. RUDIAK. Signs.

Mr. ARENS. For what company?

Mr. RUDIAK. Neon signs, and—

Mr. ARENS. For what company? What is the name of the company?

(The witness conferred with his counsel.)

Mr. RUDIAK. I don't work for a company. I am self-employed.

Mr. WILLIS. Do you have a contract in some way?

Mr. RUDIAK. Well, I would say that—self-employed.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. Mr. Allan D. McNeil, kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McNEIL. I do.

TESTIMONY OF ALLAN D. McNEIL, ACCOMPANIED BY COUNSEL, HYMEN SCHLESINGER

Mr. AREN. Kindly identify yourself by name, residence, and occupation.

Mr. McNEIL. My name is Allan McNeil. I reside at 344 Ward Street, Pittsburgh, Pa., and I am unemployed, I might add, thanks to the series of events of this type.

Mr. ARENS. Are you alluding to the investigation which we had when I was with another committee, the Internal Security Committee, in Pittsburgh a year or two ago, in which you were called before the committee and identified repeatedly as a member of the Communist conspiracy and invoked the fifth amendment? Is that what you are alluding to?

Mr. McNEIL. Well, Mr. Arens, you helped.

Mr. ARENS. I am very sorry that you feel that way about it, because we felt we were doing our duty.

Now, Mr. McNeil, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. McNEIL. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. McNEIL. That is correct.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. SCHLESINGER. With pleasure. I am Hymen Schlesinger, of Pittsburgh.

Mr. ARENS. Now, Mr. McNeil, you say you are unemployed. I think that the record here will show that you have been at least occupied in certain things.

Are you currently secretary to the Committee To End Sedition Laws?

Mr. McNEIL. Mr. Arens, I must use the fifth amendment.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you are employed at the present time as secretary to the Committee To End Sedition Laws, you would be supplying information which might be used against you in a criminal proceeding?

Mr. McNEIL. Mr. Arens, you know very well that is exactly what you do intend.

Mr. ARENS. Mr. McNeil, this subpoena which was served upon you requests you, or orders you, to produce before this committee certain documents, does it not?

Mr. McNEIL. Yes, it does.

Mr. ARENS. All the minutes, minutes from all the meetings, of the Committee To End Sedition Laws, during the period of July 1, 1954, to October 20, 1956—

Mr. WILLIS. To end sedition laws?

Mr. ARENS. Yes, sir.

And showing all action taken and all consideration given to proposals to repeal the sedition statutes of the various States within the United States.

Do you have those documents here today?

Mr. McNEIL. I am very sorry. I went to a lot of trouble to collect them, and then unfortunately, we had a disastrous fire. I would like to introduce this for you to take a look at. The entire building burned down. We weren't allowed to get into look at the thing.

Mr. ARENS. When did you start all this trouble to collect these?

Mr. McNEIL. Right after I got the subpoena.

Mr. ARENS. Where did you go to collect all these documents?

Mr. McNEIL. The documents were in the office of the committee.

Mr. ARENS. And where did you go to get these documents?

(The witness conferred with his counsel.)

Mr. McNEIL. Without admitting or denying any connection—

Mr. ARENS. Just a minute. You admitted it already. You volunteered that you went to collect these documents at the office, and the office was burned down, or at least somewhere in the process the records got burned. You just answer the question: Where did you go to get these documents? ¹

(Document marked "Exhibit 272," see appendix, p. 7560.)

Mr. McNEIL. Let me please first correct you, if I may. This is where I learned of the burning.

Mr. ARENS. You just answer the principal question in view of the status of this record. Where did you go to get these documents?

Mr. McNEIL. Personally, I tried to get into this building to do—

Mr. ARENS. What building?

Mr. McNEIL. The building that burned.

Mr. ARENS. Why did you go there?

Mr. McNEIL. There was an office there in which the things were contained. By the way, I might add, some of which were personal.

Mr. ARENS. Where was the office? What floor of the building?

Mr. McNEIL. It was on the second floor.

¹ After the hearings the committee received a letter dated November 29, 1956, from the United States attorney, Western District, Pa., which refuted McNeil's testimony concerning the destruction of the documents.

Mr. ARENS. What is the name of the building and the location?

Mr. McNEIL. The building is at Wood and Forbes Street and Oakland in Pittsburgh.

Mr. ARENS. And did you expect, when you got to that building, to get the documents called for in this subpoena?

Mr. McNEIL. No, sir; I did not, in view of this story.

Mr. ARENS. Were the documents called for in this subpoena in the building which was burned down?

Mr. McNEIL. I would have to try to find that out at that time. I was going to take the trouble to do that.

Mr. ARENS. Did you know in advance that the building did contain the documents called for in the subpoena?

Mr. McNEIL. No, sir; I did not.

Mr. ARENS. What made you go to the building, then, or what made you think you could go to the building and find them?

Mr. McNEIL. Because, obviously, that is the one place where they might be.

Mr. ARENS. Why?

Mr. McNEIL. Because the office of the committee was there.

Mr. ARENS. What committee?

Mr. McNEIL. The Committee To End Sedition Laws.

Mr. ARENS. How did you know the office was there?

Mr. McNEIL. Because I had been the secretary in the past.

Mr. ARENS. And when did you disassociate yourself from the Committee To End Sedition Laws?

Mr. McNEIL. I don't absolutely recollect the date, in truth.

Mr. ARENS. You said you had been the secretary of the Committee To End Sedition Laws. Over what period of time were you a member of the Committee To End Sedition Laws?

Mr. McNEIL. Several months, I presume.

Mr. ARENS. Beginning when?

Mr. McNEIL. It is quite difficult to answer that question.

Mr. ARENS. What year?

Mr. McNEIL. Last year.

Mr. ARENS. Was it the spring, summer, winter, fall?

Mr. McNEIL. I suspect it was most of the year.

Mr. ARENS. And was that a paid job that you had as secretary of the Committee To End Sedition Laws?

Mr. McNEIL. No; it was not. I wish it was.

Mr. ARENS. And who was chairman of the Committee To End Sedition Laws?

Mr. McNEIL. No, sir.

Mr. ARENS. No; I asked who was chairman?

Who was chairman of the Committee To End Sedition Laws?

Mr. McNEIL. I claim the first and fifth on that, sir.

Mr. ARENS. Who got you your job with the Committee To End Sedition Laws?

Mr. McNEIL. I give you the same answer, Mr. Arens.

Mr. ARENS. Who else headquartered the same office with you?

Mr. McNEIL. You have the same answer, again, sir.

Mr. ARENS. You have admitted that you were secretary of the Committee to End Sedition Laws. I now ask you to name the other

officers during the period of time that you were a member of the Committee to End Sedition Laws.

Mr. McNEIL. I must use the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. The cases are replete with decisions of the courts that once a witness once identifies himself with reference to an organization he may not invoke the fifth amendment with reference to the other officers of the organization.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. McNEIL. The committee, sir, was composed of the people who came under attack under the Sedition Laws of the State of Pennsylvania.

Mr. ARENS. And who are they?

Mr. McNEIL. And, incidentally, not all of them. Mr. Nelson was one.

Mr. ARENS. Steve Nelson?

Mr. McNEIL. That is correct.

Mr. ARENS. Yes?

Mr. McNEIL. And Mr. Careathers?

Mr. ARENS. Is that Ben Careathers?

Mr. McNEIL. That is correct.

Mr. ARENS. All right, sir.

Mr. McNEIL. And in absentia the others who were under the same attack. As I recall it, it was Mr. Dolsen, who later on went to Philadelphia, or some place.

Mr. ARENS. Anybody else?

Mr. McNEIL. No, sir.

Mr. ARENS. Then the whole Committee to End Sedition Laws consists of less than a half-dozen people, is that correct?

Mr. McNEIL. That is correct.

Mr. ARENS. And did anyone else besides yourself actually headquarter at the headquarters of the Committee to End Sedition Laws?

Mr. McNEIL. First and fifth on this, sir.

Mr. VELDE. Mr. Counsel, may I interject a question there?

At what time was this committee formed to end sedition laws?

Mr. McNEIL. As I recollect, Mr. Velde, it goes back to the beginning of last year.

Mr. VELDE. It was after Steve Nelson was convicted of sedition, is that correct?

Mr. McNEIL. That is correct. It was in the process of his appeal to the courts.

Mr. VELDE. Where is Steve Nelson now?

Mr. McNEIL. I couldn't tell you, sir.

Mr. ARENS. Well, now, who financed this Committee To End Sedition Laws?

Mr. McNEIL. You have forced me to use the first and fifth on this.

Mr. ARENS. It wasn't financed by the American Legion and the Council of Churches, was it?

Mr. McNEIL. Perhaps you can answer that.

Mr. ARENS. You tell us. Was it financed by the Communist Party?

Mr. McNEIL. I will use the first and fifth, Mr. Arens.

Mr. ARENS. And what was the purpose of the Committee To End Sedition Laws?

Mr. McNEIL. I will take the first and fifth, again, on that one.

Mr. ARENS. Now what did this Committee To End Sedition Laws do?

Mr. McNEIL. On this question, too, Mr. Arens —

Mr. ARENS. Did the Committee To End Sedition Laws have affiliates in other cities or was it the only committee that you knew about to end sedition laws?

Mr. McNEIL. I use the first and fifth, Mr. Arens.

Mr. ARENS. Did you have a successor as secretary of the Committee To End Sedition Laws?

Mr. McNEIL. I cannot answer that question. Not to my knowledge.

Mr. ARENS. Who was your superior in the organization?

Mr. McNEIL. I use the first and fifth, Mr. Arens.

Mr. ARENS. Did you have any employees?

Mr. McNEIL. I use the first and fifth on that, Mr. Arens.

Mr. ARENS. Was the Committee To End Sedition Laws incorporated or was it just a committee without any status by legal procedure?

Mr. McNEIL. No traps, Mr. Arens. I use the first and fifth on that, too.

Mr. ARENS. I don't understand what you said there. Was there a pro forma degree of incorporation?

Mr. McNEIL. No.

Mr. ARENS. Was it a corporation?

Mr. McNEIL. No.

Mr. ARENS. It was not. Now, tell us who met at the founding meeting of this Committee To End Sedition Laws, or was there a founding meeting?

Mr. McNEIL. I will use the first and fifth on that, Mr. Arens.

Mr. ARENS. Did the gentleman to your left, Mr. Schlesinger, have anything to do with the Committee To End Sedition Laws?

Mr. McNEIL. I will use the first and fifth on that, Mr. Arens.

Mr. ARENS. Was he one of the organizers of the committee?

Mr. McNEIL. I will give you the same answer.

Mr. ARENS. What did the Committee To End Sedition Laws do toward ending the sedition laws?

Mr. McNEIL. I will use the first and fifth on that, Mr. Arens.

Mr. ARENS. Is the Committee To End Sedition Laws still in effect?

Mr. McNEIL. I will give you the first and fifth on that, Mr. Arens.

Mr. ARENS. When did you last physically appear in the office of the Committee To End Sedition Laws?

Mr. McNEIL. I will give you the first and fifth on that, Mr. Arens.

Mr. ARENS. What precipitated your disassociation from the Committee To End Sedition Laws?

Mr. McNEIL. I give you the first and fifth on that.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered to answer that question. He has said he was secretary and he says he is no longer secretary.

Mr. WILLIS. I will direct you to answer.

Mr. McNEIL. Under direction, I will answer. I was unemployed, and I was tempted to find employment. It is that simple.

Mr. ARENS. You were unemployed while you were secretary of the Committee To End Sedition Laws?

Mr. McNEIL. That is right.

Mr. ARENS. And then what did you do, just voluntarily resign?

Mr. McNEIL. I will use the first and fifth on that, Mr. Arens. I have answered the question asked.

Mr. ARENS. We are back where we started. Was your disassociation from the Committee To End Sedition Laws voluntary or involuntary?

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. WILLIS. I will direct you to answer.

Mr. McNEIL. It was voluntary.

Mr. ARENS. Where and when were you born?

Mr. McNEIL. I will use the first and fifth on that, too.

Mr. ARENS. Where were you born?

Mr. McNEIL. I will use the first and fifth on that, sir.

(The witness conferred with his counsel.)

Mr. ARENS. Have you used any name other than the name of Allan McNeil?

Mr. McNEIL. Excuse me.

Mr. ARENS. Let's start over again in this last series of questions, then. Where were you born?

Mr. McNEIL. I use the first and fifth, sir.

Mr. ARENS. When were you born?

Mr. McNEIL. I will use the first and fifth on that, too.

Mr. ARENS. Have you used any name in your life other than the name Allan McNeil?

Mr. McNEIL. I use the first and fifth on that.

Mr. ARENS. Have you ever used the name of Allen Johnson?

Mr. McNEIL. I use the first and fifth.

Mr. ARENS. Suppose you could help us here? We have a picture, a photograph, of Major Johnson, "bids farewell to the men in Spain in Barcelona, in 1938" and it is signed Allen Johnson. This Major Johnson in this farewell address tells what all he has done over there helping the Communists fight in Spain. Curiously enough, it is a photograph that looks quite like you. I wonder if you could look at that and help us and tell us if that photograph might be you.

(Photograph marked "Exhibit No. 273," in bound volume, Volunteers for Liberty, retained in committee files.)

Mr. McNEIL. I will be very glad to look at it, sir.

Mr. ARENS. I beg your pardon?

Mr. McNEIL. I will be very glad to look at it.

Mr. ARENS. Will you tell us whether or not that is you?

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. Do you honestly feel, Mr. McNeil, that if you told this committee truthfully whether or not that photograph which is being displayed to you is a photograph of yourself, you would be supplying information which might be used against you in a criminal proceeding?

Mr. McNEIL. Mr. Arens, my experience with you and with other people who have investigations leads me to believe that that would be true.

Mr. ARENS. Thank you. You have had rather sorry experiences with investigating committees, haven't you?

Mr. McNEIL. And with you, yes, indeed, I have.

Mr. ARENS. Yes.

I have a war bulletin here, a war bulletin issued over in Spain, by Maj. Allen Johnson, and this war bulletin has all kinds of material in it showing what all the Nazis are doing, and also jumping on the Hearst papers, all signed by Maj. Allen Johnson.

Look at this war bulletin from over there that we got by legal means, from Spain, and tell this committee whether or not you are the person who prepared that war bulletin over there.

(Document marked "Exhibit No. 274," see appendix, p. 7561.)

(The witness conferred with his counsel.)

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. Have you been one of the big officers of the conference to aid Spain?

Mr. McNEIL. I don't even know what you are talking about.

Mr. ARENS. The Committee To Aid Spanish Democracy, would you know about that?

Mr. McNEIL. I heard about it in the papers, but that is all.

Mr. ARENS. Is that the only way you heard about it?

Mr. McNEIL. That is correct.

Mr. ARENS. Do you know Phil Bard?

Mr. McNEIL. I use the first and fifth.

Mr. ARENS. It is a curious thing if you don't know anything about the Committee To Aid Spanish Democracy. We have here a letter, Mr. McNeil, signed by Allen Johnson, addressed to Phil Bard, and this letter, according to its letterhead, originated and was initiated in Spain, at Madrid. Look at that letter and tell us whether or not this is your signature on this letter addressed to Phil Bard.

(Document marked "Exhibit No. 275," see appendix, p. 7562.)

(The witness conferred with his counsel.)

Mr. ARENS. I want you to be sure you don't get into trouble with the committee in that respect, or any other difficulty.

(The witness conferred with his counsel.)

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. Then maybe you do know something about the Committee To Aid Spanish Democracy. Do you have any recollection now that you have seen this letter?

Mr. McNEIL. Candidly I don't. I am not trying to equivocate, either.

Mr. ARENS. Do you know Stephen J. Rudich?

Mr. McNEIL. I use the first and fifth on that.

Mr. ARENS. Stephen Rudich identified you just last year before this committee as a person known by him to be a member of the Communist Party. Was Rudich lying or was he telling the truth?

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. You have never broken away from the Communist conspiracy; have you?

Mr. McNEIL. I will again use the first and fifth, Mr. Arens.

Mr. ARENS. Could you tell us something about this District Six Committee to Defend Allan D. McNeil? Did you have anything to do with the formation of that committee?

Mr. McNEIL. I will use the first and fifth amendments, sir.

Mr. ARENS. Do you know anything about the committee?

Mr. McNEIL. I will use the first and fifth amendments, sir.

Mr. ARENS. I have here a document that I want to display to you—"Defend Labor, Defend UE, Defend McNeil, issued by the District Six Committee to Defend Allan D. McNeil."

It is a protest instructing the Attorney General to instruct the Immigration Department to cease harassing McNeil. Was the Immigration and Naturalization Service harassing you?

(Document marked "Exhibit No. 276a-d," see appendix, pp. 7563-7566.)

Mr. McNEIL. You may call it what you will, Mr. Arens. I was on the receiving end.

Mr. ARENS. Were they trying to deport you?

Mr. McNEIL. That is correct, sir.

Mr. ARENS. Why were they trying to deport you?

Mr. McNEIL. Your guess is as good as mine.

Mr. ARENS. Well, were you a Communist?

Mr. McNEIL. I use the first and fifth, sir.

Mr. ARENS. You received charges from the Immigration and Naturalization Service under this terrible, terrible, terrible Immigration and Naturalization Act, the Walter-McCarran Act, didn't you?

Mr. McNEIL. I will use the first and fifth on all questions relating to deportation proceedings, sir.

Mr. ARENS. I have another document here that seems to revolve a little bit around you: 40 million people, all in jeopardy because of the Walter-McCarran Act. A typical illustration of why they are all in jeopardy is because Allan McNeil has been identified by six different stool pigeons as a Communist.

It says:

Beware of all stool pigeons. We must not turn the clock back.

This is all issued by the District Council Six Defense Committee of the United Electrical, Radio, and Machine Workers.

(Document marked "Exhibit No. 277a-d," see appendix, pp. 7567-7570.)

Were you ever with the UE?

Mr. McNEIL. I will use first and fifth on that, too, sir.

Mr. ARENS. And were you with the District Council Six Defense Committee?

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. Do you know a man by the name of John Butler?

Mr. McNEIL. I will use the first and fifth on that.

Mr. ARENS. He identified you as a Communist. Was he lying or was he telling the truth?

Mr. McNEIL. The same answer, sir.

Mr. ARENS. I have another letter here I want to ask you about. It is on the letterhead of the Veterans of the Abraham Lincoln Brigade, June 2, 1954, and it is signed by Moe Fishman, addressed to "Dear Allan."

Well, the encampment and the commemoration are over. What stood out for both was a larger number of our guys who turned out for both.

It tells all about the work of the Abraham Lincoln Brigade, and then starts jumping into the stool pigeons again.

So far every stoolie down there has tied your name into the picture. Harvey, Mickenberg, and Gladnick have you on a commission on the 5th floor * * *. They have you as second in command * * *.

But you will get more on this in the next vol. also—I hope.

Look at that letter, now, and see if you can't help us decipher who this fellow Moe Fishman is, and why he would be writing to you. (Document marked "Exhibit No. 278," see appendix, pp. 7571, 7572.)

(The witness conferred with his counsel.)

Mr. McNEIL. I would like to protest the fact that this letter apparently has been intercepted or stolen from someplace.

Mr. ARENS. How did you know that? What makes you suggest that?

Mr. McNEIL. Because it is addressed——

Mr. ARENS. Does it look like it is an original letter, or is it a bogus letter?

Mr. McNEIL. No, it looks like an original.

Mr. ARENS. Is it a bona fide letter?

Mr. McNEIL. I don't know, sir.

Mr. ARENS. Did you receive that letter?

Mr. McNEIL. I do not even remember that.

Mr. ARENS. Look at it and see if you can recall. Do you know the author of that letter?

Mr. McNEIL. If you will excuse me, I will use the first and fifth amendment on all matters dealing with this organization.

Mr. VELDE. Mr. McNeil, I do not know whether counsel has asked you or not, but were you a member of the Abraham Lincoln Brigade?

Mr. McNEIL. On that question, too, Mr. Velde, I must use the first and fifth amendments.

Mr. VELDE. Were you a comrade of Steve Nelson during that time?

Mr. McNEIL. Again, sir, you have the same reply from me.

Mr. VELDE. Did you ever meet Palmiro Togliatti?

Mr. McNEIL. Sir, I have the same reply.

Mr. VELDE. I think it should be stated for the record that the Abraham Lincoln Brigade has also been classified by the Attorney General and the Un-American Activities Committee as a subversive organization.

Mr. ARENS. Yes. It was inspired and controlled by the Communist world conspiracy.

Mr. McNEIL. Are you asking for opinion?

Mr. ARENS. You can tell us.

Was the Abraham Lincoln Brigade controlled by the Communists?

Mr. McNEIL. No, I thought you were asking for an opinion.

Mr. ARENS. Do you care to express your opinion as to whether or not it was controlled by the Communist conspiracy?

Mr. McNEIL. Well, the papers tell me it has been cited. The papers don't tell me that it has been convicted. In the meanwhile, it seems that you gentlemen proceed with all of these organizations, all of them, on the general sweeping basis that once Mr. Brownell categorizes them, they are, therefore, ipso facto——

Mr. ARENS. If we are wrong, you tell us. Was the Abraham Lincoln Brigade not controlled by the Communists? You seem to have a little information about it there. I want to see if you can't help your Government.

(The witness conferred with his counsel.)

Mr. McNEIL. Sir, I think it is a question. My protest is a general one.

Mr. ARENS. Let's get specific first, and then we will get to the generalities. Let's get specific about the Abraham Lincoln Brigade.

You want to protest that being described as a subversive organization. You have that right and we welcome your protest. Tell us on what you base your knowledge about the Abraham Lincoln Brigade. Do you have personal experience in that regard?

Mr. McNEIL. Mr. Arens, you are not going to trap me. You tried it before. I will tell you simply I will use the first and fifth amendments.

Mr. ARENS. Thank you, sir.

Now I want to allude to this letter, addressed to "Dear Allan." That is the letter you protest us having. It is by Moe Fishman. Do you want the letter back?

Mr. McNEIL. I don't even know that it is my letter, candidly, because I did not—

Mr. ARENS. Do you know the author of the letter, Moe Fishman?

Mr. McNEIL. Sir, I use the first and fifth again.

Mr. ARENS (reading):

Gladnick already appeared on the scene last week and was the last witness before the recess till June 7. We used some of the material he had testified too [sic] at your hearing and have only now—a little late—become aware that there may be some trouble on that since it seems you are not supposed to use material from immigration hearings someone told us. We are checking further—but am afraid the milk has been spilt, since Milt (who won the right to cross-examine) indicated the material was from those hearings. We will let you know if anything develops on this here—but fear it may be used against your attorney in Pitts. Let me know if anything develops.

Who was your attorney in Pittsburgh?

Mr. McNEIL. I don't even know in what case or what situation you are referring to. I will be very frank, I don't even know—

Mr. ARENS. We want you to be frank, we want you to be very frank.

Now, this exhibit we lay before you is entitled "Fact Sheet on Lincoln Brigade Veterans Under Attack." It is a fact sheet on all of these veterans of the Lincoln Brigade, who are under attack, and a call for everyone to write the President and the Attorney General, demanding amnesty for a number of people including Steve Nelson, and Lincoln Battalion Commissar, Irving Weissman; Saul Wellman; Allan McNeil; John Gates; Robert Thompson.

Allan (Alan) McNeil is described here as—

Served in the American Army before going to Spain. Served as major in Spain. Outstanding trade union leader and organizer for the United Electrical Workers.

(Document marked "Exhibit No. 279," see appendix, p. 7573.)

Is that you?

Mr. McNEIL. I use the first and the fifth, Mr. Arens.

Mr. ARENS. You know, Mr. McNeil, as a witness here you are entitled to certain witness fees, but to do so you have to sign a little voucher.

I respectfully request, Mr. Chairman, in view of what I am going to say, that if Mr. McNeil signs his pay voucher for his witness fees, that his signature from that voucher be incorporated in this record, because I am going to ask him about some documents that do have his signature on them.

Mr. WILLIS. That will be the procedure.

Mr. ARENS. Now I have a letter signed just Allan, addressed to "Dear Evelyn," June 18, 1954.

That is Evelyn Abelson, the preceding witness.

I received the attached letter by registered mail today from the Immigration Service. This will make the fourth time hearings have been held on my case. They no longer allow any substantial time element either * * *

Please note that Yee has received a copy of this letter from the Service.

May I suggest that before the hearing a letter along the lines of the attached draft go out to at least the list of the people who previously supported me.

(Documents marked "Exhibits Nos. 280 a-d," see appendix, pp. 7574-7578.)

Next is a letter addressed to "My dear friends." (See exhibit No. 280c, appendix, p. 7576.)

I want you to tell us whether that is your signature, on the letter which you sent to Evelyn Abelson, of this Communist-controlled organization. (See exhibit No. 280b, appendix, p. 7575.)

(The witness conferred with his counsel.)

Mr. McNEIL. Before I officially use the first and fifth, Mr. Arens, I want to again—

Mr. ARENS. Do you propose to use the first and fifth?

Mr. McNEIL. Once again I want to call attention to the fact that somebody has been in somebody's files. This is stealing. It is plain, ordinary theft, and two wrongs do not make a right, Mr. Arens, in anybody's world.

Mr. ARENS. Do you want to set everybody right now by telling us that that is your signature?

Mr. McNEIL. Mr. Arens, I told you I will use the first and fifth.

Mr. ARENS. Do you want to surmise that maybe the committee might have come into custody of this material in a perfectly legitimate and lawful manner by a subpoena duces tecum within the right of this committee?

Mr. McNEIL. You might very well have, but somebody else stole it, then, and you are dealing with a thief.

Mr. ARENS. What makes you think that somebody stole that mail?

Mr. McNEIL. Because you are taking the mail.

Mr. ARENS. Look at that signature and tell us if it is a bona fide signature. Maybe we made it up in the back room.

Mr. McNEIL. Here we go again, Mr. Arens. I use the first and fifth.

Mr. ARENS. Of course you will.

Mr. McNEIL. That is right.

Mr. ARENS. I forgot. There is one other little thing. In connection with that letter, I have a statement in the McNeil case which apparently accompanied that letter. It tells what a great hero this man was, this man McNeil, all about what a great hero he was in Spain, how he is being maligned and attacked by the Government, the Government's case is weak, and that all we need is money. If we have money, and determination, we can defeat these Fascists who are out to persecute this innocent man McNeil with the splendid record.

Look at this and tell us if you prepared that document yourself to send to Evelyn Abelson, the Communist, to get her to reproduce it and send it to a number of people over the country to enlist funds to help you.

(See exhibit No. 280d, appendix, p. 7576.)

(The witness conferred with his counsel.)

Mr. McNEIL. No. 1, I don't recognize it for mine. No. 2, even if it were, sir, I would be compelled to use the first and the fifth amendments.

Mr. ARENS. Let me read you still another letter. This is an original letter in handwriting. It is just addressed to "Evelyn" and signed "Allan."

This is a good order. You did a good job. As a victory, temporary but still a victory.

(See exhibit No. 241, appendix, p. 7502.)

You know, Mr. McNeil, I am having difficulty reading this writing. Persons do have difficulty reading handwriting of other people. Would you kindly read the letter to the committee? You can help us. We have difficulty translating it.

Mr. McNEIL. I am sorry, I can't read it myself. I must use the first and fifth amendments.

Mr. ARENS. Do you recognize the signature?

Mr. McNEIL. No, I don't, sir.

Mr. ARENS. You don't recognize the signature? Do you deny the signature?

Mr. McNEIL. No, I didn't do that. I just said I didn't recognize or not recognize. I use the first and fifth.

Mr. ARENS. You have been a great fighter for peace, haven't you?

Mr. McNEIL. Mr. Arens, I will use the first and fifth.

Mr. ARENS. You are not ashamed to fight for peace, are you? It is a laudable objective.

Mr. McNEIL. Are you asking a personal opinion, Mr. Arens?

Mr. ARENS. Yes.

Mr. McNEIL. Why, Mr. Arens, I would be delighted, and always have been—I think my record stands on that question—

Mr. ARENS. We want to talk about your record as a fighter for peace. I am glad you mentioned that.

Mr. McNEIL. Yes, sir.

Mr. ARENS. In the Communist Daily Peoples World of September 23, 1952, there is an article demanding a cease fire. It is a highlight of a UE meeting in Cleveland, Ohio. It is a convention of the United Electrical Workers. Among the fighters for peace, part of your record that you just alluded to, was delegate Allan McNeil of Pittsburgh, Local 623, who is quoted here as saying :

There is nothing we can do to put into action the splendid program of this union if we fail to fight for peace.

(Document marked "Exhibit No. 281," see appendix, p. 7579.)

Were you a participant in that program for peace of the Communist controlled United Electrical Workers Union session in Cleveland in 1952?

Mr. McNEIL. I use the first and fifth, Mr. Arens.

Mr. ARENS. That is only part of this record you are talking about, that you would be very glad to have revealed to the world.

Now I have still another document—we will be through here pretty soon, Mr. McNeil—a copy of a letter from the Committee To End Sedition Laws, addressed to "Dear Brothers," November 19, 1954.

What brothers did you have in the Committee To End Sedition Laws? Is it a fraternal organization with many brothers in it?

(Document marked "Exhibit No. 282a, b," see appendix, pp. 7580, 7581.)

Mr. McNEIL. I use the first and fifth.

Mr. ARENS. Look at this letter now and see if you can't help us a little bit. It is signed by "Allan D. McNeil, Secretary, Fraternally yours, the Committee to End Sedition Laws."

Mr. McNEIL. While I am delighted to take a look at it, Mr. Arens, I told you already that on any material in connection with this matter I would use the first and fifth on, and I am giving that reply now.

Mr. ARENS. Do you know Louis Goldblatt?

Mr. McNEIL. I will use the first and fifth.

Mr. ARENS. After you were proceeded against by the Immigration Service, you solicited a number of letters, did you not, from Communist-controlled organizations, commending you for being such a wonderful person; isn't that correct?

Mr. McNEIL. I use the first and fifth, sir.

Mr. ARENS. Let's look at a few of them. Here is a letter dated June 30, 1953, from Louis Goldblatt, of the International Longshoremen's and Warehousemen's Union, addressed to "Dear Sir and Brother."

That commends Brother Allan McNeil.

How unfortunate it is that the Immigration Service is harassing him. Look at that letter and see if you have ever seen it before, and tell us whether or not you solicited that letter.

(Document marked "Exhibit No. 283," see appendix, p. 7582.)

(The witness conferred with his counsel.)

Mr. McNEIL. I must use the first and the fifth, sir.

Mr. ARENS. Were you the district representative of the United Electrical Workers?

Mr. McNEIL. Sir, in connection with the union, I shall use the first and fifth.

Mr. ARENS. Was this union not a union, but was it, on the other hand, an instrumentality of the Communist conspiracy masquerading as a labor organization?

Mr. McNEIL. While I use the first and fifth, Mr. Arens, I think it is most unfortunate—

Mr. ARENS. Then just answer the question. Was the UE controlled by the Communist Party?

Mr. McNEIL. Sir, while I have to use the first and fifth—

Mr. ARENS. You don't have to use it. We prefer you not use it, unless you fear criminal consequences. Tell us, was the UE of which you were the district representative—

Mr. McNEIL. Mr. Arens, bad manners are inexcusable anyplace.

Mr. ARENS. Certainly.

Mr. McNEIL. You asked me a question and you asked me to answer it.

Mr. ARENS. Yes. Did I intrude? I beg your pardon. I apologize.

Now, please answer the principal question. We have the apology set. Was the UE controlled by the Communist conspiracy?

Mr. McNEIL. I will use the first and fifth, sir, and file a protest at you maligning the labor movement in this general manner.

Mr. ARENS. Let's clear that point up. Was the UE and is the UE a legitimate bona fide labor organization representing the interests of the working people or is it, on the other hand, to your certain

knowledge controlled by persons who are in the Communist conspiracy?

Mr. McNEIL. The only reason I do what I am going to do——

Mr. ARENS. Just answer that question. I have to intrude. I don't mean to use bad manners. Just answer the question.

Mr. McNEIL. Mr. Arens, you be as polite as I am about this.

Mr. ARENS. I apologize again. Just answer the question.

Mr. McNEIL. I will most certainly do that.

Mr. ARENS. All right, do it.

Mr. McNEIL. However, I want to tell you that the unions in this country are genuine. But I am compelled, because you are trying to trap me, to use the first and fifth.

Mr. ARENS. Wasn't the UE thrown out of the CIO, because the CIO found it was Communist controlled?

Mr. McNEIL. Sir, I am using the first and fifth.

Mr. ARENS. Why don't you, in great politeness, tell us whether or not you were a member of the Communist conspiracy when you were district representative of the United Electrical Workers?

Mr. McNEIL. Again, I will use the first and fifth for you, Mr. Arens.

Mr. ARENS. When you were with the UE, did you prepare a document "They want to turn the clock back" attacking Senators Jenner and McCarran, Senator Taft, and, among others, the distinguished member of this committee, who is present here today, Mr. Velde? Did you do that while you were with the UE? Did you prepare this leaflet that I now lay before you, with this organization that you have described as a legitimate, bona fide labor organization?

(Document marked "Exhibit No. 284a-d," see appendix, pp. 7583-7586.)

Mr. McNEIL. I will use the first and fifth, Mr. Arens.

Mr. ARENS. Did you prepare this one: "For a living Bill of Rights," issued by District 6, United Electrical, Radio and Machine Workers of America, Pittsburgh, Pa. Did you prepare that while you were with UE?

(Document marked "Exhibit No. 285a-d," see appendix, pp. 7587-7590.)

Mr. McNEIL. I will use the first and fifth on that, sir.

Mr. ARENS. Now I want to invite your attention to a document we have only photographed 2 or 3 pages of. It is a magazine, the March of Labor, and which has been identified and characterized by this committee after extensive, careful investigation as a Communist-controlled publication, the March of Labor. "40 million Americans threatened. Repeal the McCarran-Walter Act. It is a law against the people."

One of the reasons why it is a law against the people is because of the case of Allan McNeil, UE representative in Pittsburgh.

"Though born in Minnesota, McNeil was being threatened with deportation to Scotland."

Look at that and see if you are the Allan McNeil alluded to in that publication.

(See exhibit No. 36a-c, appendix, pp. 7148-7150.)

Mr. McNEIL. Sir, I must use the first and fifth.

Mr. ARENS. There is just a question or two we want to clear up and then we will conclude, Mr. McNeil.

Were you born in the United States of America or outside the United States of America?

Mr. McNEIL. Again I use the first and fifth.

Mr. ARENS. Were you born in the Western Hemisphere or the Eastern Hemisphere?

Mr. McNEIL. Again I use the first and fifth. You are back again to the old game, Mr. Arens. You did this once before.

Mr. ARENS. You don't have something to hide; do you?

Mr. McNEIL. I have as much patience as you have, sir.

Mr. ARENS. I beg your pardon?

Mr. McNEIL. I have as much patience as you have.

Mr. ARENS. What did you tell the Immigration Service was your place of birth?

Mr. McNEIL. I will use the first and fifth, sir.

Mr. ARENS. You told the Immigration Service you were born in the United States of America, and that you were a native-born citizen of this country; didn't you?

Mr. McNEIL. Are you expressing an opinion?

Mr. ARENS. I am asking a question and you know I am asking a question.

Mr. McNEIL. I will use the first and fifth.

Mr. ARENS. Have you ever had a passport issued by this Government to travel abroad?

Mr. McNEIL. I use the first and fifth, Mr. Arens.

Mr. ARENS. Why would you use the first and fifth in connection with a passport, unless you have been doing a little monkey business with a passport?

Mr. McNEIL. Mr. Arens, you know certainly well why I use the first and fifth.

Mr. ARENS. I certainly do, because you have been engaged in fraudulent activities with a passport.

Mr. McNEIL. You are making allegations, Mr. Arens.

Mr. ARENS. Deny under oath that you have not falsified your passport application.

Mr. McNEIL. I am not going to have you send me to jail just like that, Mr. Arens.

Mr. ARENS. I am not sending you to jail, I am asking a question.

Mr. McNEIL. The first and fifth.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. I have no questions, as I believe our very able counsel has done everything possible to get whatever information possible, and the witness being an oldtimer Communist obviously knows his way around. I see no need of going further in this matter.

Mr. WILLIS. We will take a 5-minute informal recess.

(Present at the taking of the recess: Representatives Willis and Velde.)

(Brief recess.)

(Present after the taking of the recess: Representatives Willis and Velde.)

Mr. WILLIS. The subcommittee will come to order.

The Chair wishes to make this statement.

Before we adjourn this series of hearings of the Committee on Un-American Activities, I would like to recapitulate briefly some of the things of particular significance and importance which we believe that we have developed here. I speak for both my colleague, Representative Velde, and myself, when I say that the hearings, in our judgment, have been very constructive.

We have learned, for example, of one more part of the widespread Communist underground apparatus directed by dedicated hard core men and women. We have received evidence of the Communist techniques of infiltration, conspiracy, and potential sabotage and espionage. We have been able to determine that despite the Ohio Smith Act trials of several years ago, which, it was hoped, would decapitate the leadership of the Communist Party in this area, the Communist organization has been able to maintain and even extend itself, and stands today as a grave and continuing threat.

This is proof, again, that no single blow is sufficient to dissolve and immobilize the Communist conspiracy, and that continuing and relentless efforts by agencies of this Government, such as this committee, are essential.

Communist propaganda continues to flood this area, through concealed Communists and through front organizations. The purpose of these Communist activities is to confuse and weaken the will to resist the Communist advances, and to destroy the executive and legislative program which has been designed to obstruct the operation of a Communist apparatus in this area and throughout the entire United States.

One of the most interesting results of these hearings, I believe, has been the identification of the Ohio and Western Pennsylvania Committees for Protection of Foreign Born, as integral components of the parent American Committee for Protection of Foreign Born.

The American Committee for Protection of Foreign Born was identified several years ago by the Attorney General of the United States as a Communist subversive organization in proceedings before the Subversive Activities Control Board. The American committee maintained that the various regional affiliates, like the Ohio and western Pennsylvania committees, were independent organizations. The testimony that we have heard today, together with the material unearthed by our investigation, proves conclusively for the first time that the regional organizations, like the Ohio and western Pennsylvania committees, and hundreds of others like them, are all a part of the vast apparatus of political subversion controlled, directed and staffed by the Communist Party of the United States.

The underlying purpose of the hearings of the Committee on Un-American Activities is to develop information necessary for the recommendation of new legislation, or the amendment of existing legislation designed to combat communism. In this regard, its first duty is to report its findings to the Congress. But beyond this obligation, it performs a highly valuable function in making the people of a particular community aware of the Communist conspirators and the Communist apparatus which exists among them.

I am quite sure that the information which the people of Youngstown and its neighboring areas received during the course of these hearings will give them a heightened appreciation of the continuing efforts of the Communist conspiracy to subvert and ultimately to destroy their government and institutions.

The Committee on Un-American Activities, as you know, has no prosecutor role. It does not try people, regardless of how deeply they may be enmeshed in Communist activities. Nevertheless, I think it is significant to point out in this connection that all of the laws which make the prosecution of Communist conspirators possible have resulted from hearings like these, on the basis of which the Congress

was able to formulate and enact necessary legislation. Without the laws adopted by the Congress, the punishment of quislings, like those who we have been seeing parade before the committee during the past few days, would be impossible.

Before we conclude, I would like to express our thanks to the various people who have helped in the arrangement of these hearings. Those include Chief Judge Paul Jones, and his staff, who permitted the use of his courtroom; Marshal Xavier North, of Cleveland, and his able deputy, Matthew Wansack, of Youngstown; the Youngstown Chief of Police Paul Kress, and his entire department; Postmaster John E. Doyle, and his secretary, Miss Schorndorfer; and many others who have given us very freely of their time and cooperation.

Of course, I particularly want to include the members of the press, and the members of the radio and television fraternity in this area.

I am wondering if my colleague, Mr. Velde, a former chairman of the full Committee on Un-American Activities, would care to say a few words.

Mr. VELDE. Yes, Mr. Chairman.

First of all I would like to have the privilege of associating myself with you in that very fine statement, and to thank the people of this area for the very courteous treatment they have given us. I also want to say to you, Mr. Chairman, that I commend you on the fair manner in which you handled these hearings here in Youngstown, and I agree with you that we did elicit very much information which will be valuable to the Committee on Un-American Activities and the Congress in promulgating legislation to handle the Communist menace.

As you know, I chose not to run again for reelection, and I suppose this will be the last time that I will have the opportunity to serve with you and our staff. I want to say it has been a pleasure and privilege over the last few years of being with you on the Un-American Activities Committee.

Mr. WILLIS. Let me say that your decision not to return to Congress was a disappointment to all your colleagues in the Congress, but particularly to your associates on this very vital committee, which has charge of trying to combat, control, and, we hope, ultimately to exterminate all subversive activities in our great land.

Mr. VELDE. Thank you very kindly.

Mr. WILLIS. I wish, on behalf of our colleagues on the committee, to wish you the best of luck and success in your new chosen field of endeavor.

Mr. VELDE. Thank you.

I think it might not be out of the way, also, to say a few words of commendation about our very able staff. I think Mr. Arens has demonstrated a legal ability of a very high type in handling the examination of all the witnesses that we have had here in Youngstown. Of course, if it had not been for the assistance given by the very able investigators, Donald Appell and George Williams, that would not have been possible. I wish to include in my commendation Mr. Richard Weil, who has also been of great assistance. These men have all done excellent jobs.

Mr. WILLIS. This will conclude the hearings.

(Thereupon, at 5 p. m., the subcommittee recessed to reconvene pursuant to the call of the chairman.)



COMMUNIST POLITICAL SUBVERSION

MONDAY, DECEMBER 3, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARING

The subcommittee met, pursuant to call, at 10 a. m., in room 209, Federal courthouse, Chicago, Ill., Hon. James B. Frazier, Jr. (chairman of the subcommittee), presiding.

Committee members present: Representatives James B. Frazier, Jr., of Tennessee; Harold H. Velde, of Illinois; Donald L. Jackson, of California; and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director; Donald T. Appell, investigator; and Richard S. Weil, staff member.

(Present at the time of convening: Representatives James B. Frazier, Jr., Harold H. Velde, Donald L. Jackson, and Gordon H. Scherer.)

Mr. FRAZIER. The subcommittee will come to order.

This morning the Committee on Un-American Activities, through a subcommittee composed of Representatives Velde, Jackson, Scherer, and myself, as chairman, continues its series of hearings on Communist political subversion—that is, the attempts of the Communist Party and its confederate organizations to destroy the security programs of the legislative and executive branches of the Government.

The Committee on Un-American Activities has already conducted hearings on this topic in Washington and other cities. The evidence received by the committee thus far presents an appalling picture of a concerted effort by the Communist Party of the United States and the Soviet Union to strip this Nation of its vital weapons of defense against ultimate overthrow by an alien conspiracy.

In the hearings now opening in Chicago the committee expects to hear about 20 witnesses.

Among the principal focuses of our investigation here are the American Committee for Protection of Foreign Born and its accessory organizations in this area. These include the Midwest Committee for Protection of Foreign Born and the Michigan Committee for Protection of Foreign Born.

These instruments of the Communist Party and numerous front groups created and controlled by them are determined to emasculate our immigration and nationality laws of the provisions which make possible the deportation of Communist agents who have obtained residence in the United States.

The hearings of the committee thus far have demonstrated beyond a doubt that the American Committee for Protection of Foreign Born is under the exclusive domination of the Communist Party of the United States, and that the American committee, in turn, directs the activities of its various components despite the claim of the American committee that the regional organizations are independent.

Our committee is also seeking further information on the efforts of the Communist Party to destroy the Smith Act, the Internal Security Act, the Communist Control Act, and similar legislation.

It has come to the attention of the Committee on Un-American Activities that the Communist Party in this area is preparing a surprise reception for us: specifically, that the Communists are soliciting petitions of protest from various non-Communist organizations in an attempt to make the security laws themselves, rather than the activities of the Communist Party, the subject of these hearings.

I would like to stress that these hearings do not concern the merits or lack of merits of any particular law.

Our purpose here is not to participate in legislative controversy, but solely to examine the vast program of Communist propaganda, infiltration, and subversion against these laws.

Let no one underestimate the extent of the problem. The testimony before this committee has already established the fact that the Communist Party throughout the United States has created literally hundreds of separate front organizations to accomplish its illicit purposes of political subversion.

In the neighboring State of Michigan alone some 80 separate organizations have been created by the Communist Party for its campaign just against the Immigration and Nationality Act.

We are confident that the information which the committee obtains during this series of hearings will reveal to the American people the extent of this political subversion by the agents of the Kremlin, and will enable us to sponsor legislative recommendations to aid the Government of the United States further in combating the operation of the Communist apparatus.

You people are here as the guests of the committee. The committee will not tolerate any outburst or expression from the spectators and guests here either favorably or unfavorably. Are you ready, Mr. Counsel?

Mr. ARENS. Yes.

Mr. FRAZIER. Call your first witness.

Mr. ARENS. Mr. Saul Grossman. Kindly come forward. Please remain standing, Mr. Grossman, while the chairman administers an oath to you.

Mr. FRAZIER. Hold up your right hand. Do you solemnly swear that the testimony to be given will be the truth, the whole truth, so help you God?

Mr. GROSSMAN. I do.

Mr. FRAZIER. Be seated.

TESTIMONY OF SAUL GROSSMAN, ACCOMPANIED BY COUNSEL, GEORGE W. CROCKETT, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GROSSMAN. My name is Saul Grossman. I reside at 2945 Tuxedo, Detroit, Mich.

Mr. ARENS. Mr Grossman, you are appearing in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(Representative Harold H. Velde left the hearing room at this point.)

Mr. GROSSMAN. Yes, I am.

Mr. ARENS. You are represented by counsel?

Mr. GROSSMAN. I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. CROCKETT. George W. Crockett, Jr., attorney-at-law, 3220 Cadillac Tower, Detroit, Mich.

Mr. ARENS. Mr. Grossman, I don't believe that the record reflects accurately your occupation. Would you kindly tell us your occupation.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Would you kindly tell us why?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question as well.

Mr. ARENS. Mr Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment of the Constitution.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully what your present occupation is you would be supplying information which might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question for the same reason.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I decline to answer that question on the grounds previously stated.

Mr. SCHERER. Mr. Chairman, I think we should advise the witness that if he does not answer that question "Yes" or "No," in accordance with a decision of the Supreme Court of this country, he would be subjecting himself to contempt.

The question is whether he is, in good faith. That is the question asked by counsel—whether he is, in good faith, relying on the fifth amendment. That is the question put to him. So he must answer that question "Yes" or "No." He cannot decline to answer that question on the basis of the fifth amendment. I am merely making the statement to warn the witness that, in view of that decision, he is placing himself in contempt.

(The witness confers with his counsel.)

Mr. GROSSMAN. Is there a question?

Mr. ARENS. So there may be no question about the status of this record, Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question as to whether or not he

honestly apprehends that if he told this committee truthfully what his present occupation is he would be supplying information which might be used against him in a criminal proceeding.

(The witness confers with his counsel.)

Mr. FRAZIER. You are so directed.

Mr. GROSSMAN. I understand that all that question asked for is a statement from me that the answer to such a question may incriminate me. And I have already answered that question.

Mr. ARENS. Now, Mr. Grossman, the subpoena pursuant to which you are appearing today requires you to bring certain documents and to produce those before this committee; does it not?

Mr. GROSSMAN. Yes.

Mr. ARENS. Do you have in your custody and control the documents called for in the subpoena?

Mr. GROSSMAN. The subpoena served upon me, on November 21—

Mr. ARENS. Just answer that question, please.

Mr. GROSSMAN. I am answering that question.

Mr. ARENS. We don't want a read statement. Just tell us now: Do you have the custody and control of the documents called for in this subpoena?

(The witness confers with his counsel.)

Mr. GROSSMAN. Mr. Chairman, I have the answer to that question written out, and it is very brief.

Mr. ARENS. Tell us "Yes" or "No" whether or not you have custody and control of the documents called for in the subpoena.

Mr. FRAZIER. Just answer the question "Yes" or "No," whether or not you have them.

(The witness confers with his counsel.)

Mr. GROSSMAN. I have the custody and control of the documents which I brought with me.

Mr. ARENS. Would you now transmit to the custody of the Committee on Un-American Activities the documents called for in the subpoena duces tecum which was served upon you.

(The witness confers with his counsel.)

Mr. GROSSMAN. I will do so under the condition set forth in this statement.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect that the witness is ordered now to transmit the custody and control of these documents to the custody of the Committee on Un-American Activities.

Mr. FRAZIER. You are so directed.

Mr. GROSSMAN. I am answering that question, Mr. Chairman.

Mr. FRAZIER. Are you delivering the documents to the committee or are you refusing to deliver them?

Mr. GROSSMAN. Mr. Chairman, may this statement be marked for identification?

Mr. ARENS. Will you kindly tell us, first of all, who prepared the statement that you have in your right hand and which you started to read?

(The witness confers with his counsel.)

Mr. GROSSMAN. It was prepared in collaboration with my attorney, Mr.—

Mr. ARENS. Can you tell us the name of every Communist who, to your certain knowledge, participated in the preparation of that statement?

(The witness confers with his counsel.)

Mr. GROSSMAN. I refuse to answer that question.

Mr. ARENS. Why?

Mr. GROSSMAN. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I decline to answer that question based on the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be, here and now, ordered to transmit to the custody of the committee the documents in his possession and in his control and in his custody which are called for in the subpoena which was served upon him.

Mr. FRAZIER. You are so ordered.

(The witness confers with his counsel.)

Mr. GROSSMAN. Mr. Chairman, I again ask that this statement be marked for identification. It indicates the materials I am offering to the committee.

Mr. ARENS. Does that list them? Enumerate them?

Mr. GROSSMAN. It does refer to them; yes. I would like to have it marked for identification.

Mr. JACKSON. May the committee see the statement in question?

Mr. ARENS. May I take a look at it?

(Document handed to committee counsel, and by committee counsel, to the chairman.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that at this point the subpoena duces tecum which was served upon this witness be incorporated in the body of the record.

Mr. FRAZIER. It may be done.

(Document marked "Exhibit No. 286a, b," see appendix, pp. 7591, 7592.)

Mr. ARENS. I also request, Mr. Chairman, in the interest of an expeditious operation here, that the many exhibits which we will have in the course of the next several days, as they are exhibited to the witnesses and identified, have the order of the chairman carried with them that they be appropriately marked and incorporated in the appendix of the record. It will save us considerable time rather than to undertake to procure such an order on each exhibit.

Mr. FRAZIER. That will be so ordered.

Mr. ARENS. Now do you care to respond to the outstanding question which is the request for you to transmit to the custody of the committee the records called for in the subpoena duces tecum?

Mr. GROSSMAN. May I have a ruling on this matter?

Mr. FRAZIER. Yes, you may read it.

Mr. GROSSMAN. Thanks.

Mr. Chairman, the subpoena served upon me, on November 21, 1956, in Detroit, is directed to the executive secretary of the Michigan Committee for Protection of Foreign Born. It calls for the production before your committee of certain documents, including letters, minutes, publications of that organization relative to its efforts to bring about

the repeal or revision of legislation sponsored or supported by members of your committee.

In appearing here and producing the documents called for in the subpoena, I neither admit nor deny association, affiliation, membership or officership in the Michigan Committee for Protection of Foreign Born. As to this I claim my privilege under the fifth amendment.

I am submitting to this committee, under protest, all of the documents of the Michigan Committee for Protection of Foreign Born called for in this subpoena and which were in my possession, custody, or control at the time I received the subpoena.

My protest is based upon my claim that the subpoena violates the rights of free speech, press, and petition guaranteed by the first amendment, and is beyond the authority given this committee in the House resolution creating this committee.

Further, the subpoena violates the right to be secure from unreasonable search and seizure, protected by the fourth amendment.

Mr. Chairman, here are the documents to which I refer.

Mr. ARENS. Would you kindly transmit those to Mr. Appell of the committee staff.

Mr. Chairman, I respectfully suggest, as Mr. Appell receives custody of the documents which the witness is transferring to the possession of the committee, that this record reflect an order from the chairman that each of the several documents be appropriately marked for the purpose of identification and incorporated by reference in this record or in the appendix.

Mr. FRAZIER. It is so ordered.

Mr. ARENS. Where did you get these documents which you have just transmitted to the Committee on Un-American Activities?

(Documents marked "Exhibits Nos. 287-300b," are reproduced in the appendix, pp. 7593-7623; the remainder retained in files of the committee.)

(The witness confers with his counsel.)

Mr. GROSSMAN. Mr. Chairman, that is answered in my statement.

They are the documents which were in my control or custody at the time I was subpoenaed.

Mr. ARENS. Where were they physically located?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question based on my previous answer.

Mr. ARENS. Were those documents in your custody and control in an office in the State of Michigan?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Did these documents come into your possession in the course of the routine performance of an official duty?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Did these documents—and, of course, it is obvious that I have not yet had a chance to peruse them—but do these documents contain all letters and copies of letters and all leaflets and documents, incoming and outgoing, passing between the Michigan Committee for Protection of Foreign Born, its officers and agents, and the American Committee for Protection of Foreign Born, its officers and agents, during the period of January 1, 1953, to October 20, 1956, relating to certain legislative enactments, including the Smith Act, the Internal Security Act, the Immigration and Nationality Act, and the like?

MR. GROSSMAN. The documents submitted are all the documents called for in the subpoena which were in my possession, custody, or control at the time I received the subpoena.

MR. ARENS. Are there any documents in this series of documents which you have transmitted to the committee in the nature of correspondence between the Michigan Committee and the American Committee for Protection of Foreign Born?

MR. GROSSMAN. They are all the documents called for in the subpoena and which we—

MR. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

MR. FRAZIER. You are ordered to answer the question.

(The witness confers with his counsel.)

MR. GROSSMAN. I do not believe there is any correspondence included in those documents.

MR. ARENS. Does the Michigan Committee for Protection of Foreign Born have documents in the nature of letters, correspondence, passing between itself, as an entity, and the American Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

MR. GROSSMAN. I refuse to answer that question other than the answer I have given in my statement.

MR. ARENS. Why?

MR. GROSSMAN. I refuse to answer that question.

MR. ARENS. Why?

MR. GROSSMAN. I refuse to answer that question.

MR. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. There has been no invocation in this series of responses of the fifth amendment.

MR. FRAZIER. You are directed to answer the question.

MR. GROSSMAN. Will you please repeat the question.

MR. ARENS. Mr. Reporter, would you kindly read the question to the witness.

(The record was read by the reporter.)

MR. GROSSMAN. I decline to answer that question basing myself on the fifth amendment.

MR. ARENS. Now do the documents which you have transmitted to the Committee on Un-American Activities include excerpts from all minutes of all meetings of the Michigan Committee for Protection of Foreign Born as further described in the subpoena duces tecum?

(The witness confers with his counsel.)

MR. GROSSMAN. I have previously answered that question, and I will repeat my answer, that I am submitting all documents of the committee called for in the subpoena which were in my possession, custody, and control at the time of the service of the subpoena.

MR. ARENS. Your answer is not responsive.

I respectfully suggest that you answer the question.

Do these documents contain, and have you transmitted to the committee pursuant to the subpoena duces tecum, the minutes of the meetings of the Michigan Committee for Protection of Foreign Born as more specifically described in the subpoena duces tecum?

MR. GROSSMAN. I believe my answer was responsive.

MR. ARENS. Mr. Chairman, I respectfully suggest that this record reflect an order and direction to this witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. So far as I know, the material submitted does not contain any minutes.

Mr. ARENS. Are there any documents of the Michigan Committee for Protection of Foreign Born which are embraced in the subpoena duces tecum which you have not transmitted to the Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. GROSSMAN. I repeat the answer I gave previously to this question, that I have submitted all of the documents of the committee called for in the subpoena and which were in my possession, custody, or control at the time I received the subpoena.

Mr. SCHERER. That is not the question asked by counsel.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. SCHERER. The question is whether there are any other documents that he has knowledge of as an officer of the [Michigan] Committee for Protection of Foreign Born. It is obvious we didn't get them all.

(The witness confers with his counsel.)

Mr. GROSSMAN. Will you repeat the question, please?

(The record was read by the reporter.)

(Representative Harold H. Velde returned to the hearing room at this point.)

(Committee members present: Representatives Frazier, Velde, Jackson, and Scherer.)

Mr. GROSSMAN. I have answered that question in the statement. But, to the extent that I have not, I rely on the fifth amendment.

Mr. ARENS. Do you have knowledge of the existence of correspondence between the Michigan Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born in the custody and control of some person other than yourself?

(The witness confers with his counsel.)

Mr. GROSSMAN. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, the status of the record at the present time reflects that this witness has not produced the records and documents called for in the subpoena duces tecum. The record, however, reflects a statement by himself to the effect that these are the only documents that he had custody and control of.

In order to make this record crystal clear at this time, I respectfully suggest that the record now reflect an order and direction by the chairman to the witness to produce the documents called for in the subpoena duces tecum which he has not produced before the committee.

Mr. FRAZIER. You are so ordered.

(The witness confers with his counsel.)

Mr. GROSSMAN. Mr. Chairman, I repeat again that I have submitted all documents of the Michigan Committee for Protection of Foreign Born called for in the subpoena and which were in my possession, custody, or control at the time I received the subpoena.

Mr. SCHERER. Now I have a question.

Where are the other documents we are asking for? Who has possession?

(The witness confers with his counsel.)

Mr. GROSSMAN. I have already answered that question, Mr. Scherer.

Mr. SCHERER. I haven't heard you answer it. Where are the other documents we asked for?

Mr. GROSSMAN. This is the only answer I am going to give to the questions of the committee.

Mr. SCHERER. I ask that you direct the witness to answer my question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. SCHERER. If he doesn't know where they are, let him so state. I think he knows. I don't think he will state he doesn't know.

Mr. GROSSMAN. Mr. Chairman, I previously declined to answer that question, basing myself on the fifth amendment, and the Chair upheld my right to do so. I still do so.

Mr. JACKSON. Mr. Chairman, I have a question.

Mr. FRAZIER. Yes, Mr. Jackson.

Mr. JACKSON. Following the receipt by you of the subpoena did you transfer physical possession of any documents, correspondence, membership cards, or any other papers relating to the operation of either the Michigan Committee for Protection of Foreign Born or the American Committee for Protection of Foreign Born to any other person?

(The witness confers with his counsel.)

Mr. GROSSMAN. I will refuse to answer that question, basing myself on the fifth amendment.

Mr. JACKSON. With whom did you confer following receipt of your subpoena other than your attorney?

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. Did you meet with any other person for the purpose of transferring to them or discussing the transfer to them of any of the documents relating to this matter?

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. I think that's where they are.

Mr. SCHERER. Just a minute.

How can he say that in view of his declination to answer your questions? How can he then tell this committee he did transfer to us all of the documents in his possession at the time he was served with the subpoena?

Mr. JACKSON. Did you transfer to the committee, or have you today transferred to the committee, all of the documents relating to this matter that were in your possession at the time you were served the subpoena?

(The witness confers with his counsel.)

Mr. GROSSMAN. Yes.

Mr. JACKSON. That is a direct answer to my previous question.

You did not subsequently transfer any documents or any papers relating to this matter to any other person?

Mr. GROSSMAN. I have already answered that question.

Mr. JACKSON. Just a moment now.

You said that you have today transferred to the committee all of the documents and papers, membership lists and so forth which you had in your physical possession and control at the time the subpoena was served upon you; is that correct?

Mr. GROSSMAN. I am sorry. Will you repeat the question.
(The question was read by the reporter.)

Mr. GROSSMAN. Yes.

(The witness confers with his counsel.)

Mr. GROSSMAN. Those relating to the subpoena.

Mr. JACKSON. All of those called for in the subpoena.

Did you transfer to any person subsequent to the receipt of your subpoena any papers called for in the subpoena? Did you make such transfer subsequent to the receipt of your subpoena?

(The witness confers with his counsel.)

Mr. GROSSMAN. No.

Mr. JACKSON. Thank you.

Mr. SCHERER. Now did you make any transfer of such papers shortly before the receipt of your subpoena when you learned the committee was subpoenaing people in connection with this matter?

(The witness confers with his counsel.)

Mr. GROSSMAN. Whatever you are referring to, of course, is not related to what was referred to in the subpoena that was served upon me.

Mr. SCHERER. I am referring to what is related in the subpoena.

Mr. GROSSMAN. I have produced all of the documents the committee called for in the subpoena and which were in my possession, custody, or control at the time I received the subpoena.

Mr. SCHERER. My question was, Did you transfer any papers called for in the subpoena shortly before the receipt of the subpoena?

(The witness confers with his counsel.)

Mr. GROSSMAN. I have already answered that question. I don't know how I am supposed to answer.

Mr. JACKSON. Did you give anybody else any papers before the receipt of this subpoena? Did you transfer any of the documents under your control?

Mr. GROSSMAN. I don't know how to answer that question.

Mr. JACKSON. I don't know how to phrase it then.

Mr. VELDE. Yes or no.

Mr. GROSSMAN. I mean I was asked to bring with me certain documents called for in a subpoena, and I did.

Mr. JACKSON. Mr. Counsel, did the subpoena call for production of membership lists?

Mr. ARENS. No, sir. The subpoena called for three general categories of instruments. One was correspondence between the Michigan Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born. The second general category of documents called for in the subpoena duces tecum are excerpts from minutes of the Michigan Committee for Protection of Foreign Born.

Mr. SCHERER. Now he said he didn't produce any excerpts from minutes. Let's make the question specific: Witness, did you transfer in the last 30 days any excerpts from minutes as called for in the subpoena?

(The witness confers with his counsel.)

Mr. SCHERER. You admit you have not produced any excerpts from the minutes?

Mr. GROSSMAN. These are all of the documents called for in the subpoena which were in my possession, custody, or control at the time I received the subpoena.

Mr. SCHERER. Now, Mr. Chairman, I ask you direct the witness to answer my question. He has not answered the question.

Mr. FRAZIER. Witness, you are directed to answer the question. (The witness confers with his counsel.)

Mr. GROSSMAN. I refuse to answer any further questions along those lines, basing myself on the fifth amendment.

Mr. JACKSON. Wait until questions are asked before you refuse to answer. I think it would be better.

Mr. ARENS. Now, Mr. Grossman, my associate—

Mr. SCHERER. Just a minute, Mr. Counsel.

Where are the minutes of the Michigan Committee for Protection of Foreign Born?

Mr. GROSSMAN. I refuse to answer that question.

(Representative Donald L. Jackson left the hearing room at this point.)

Mr. SCHERER. Do you know where those minutes are?

Mr. GROSSMAN. I refuse to answer that question.

Mr. SCHERER. I think you should invoke the fifth amendment if that is the basis for your reason in refusing to answer my question.

Mr. GROSSMAN. I have counsel. Thank you.

Mr. SCHERER. Then I ask that you direct the witness to answer my question because he has not invoked the fifth amendment. He has merely refused to answer my question.

Mr. FRAZIER. Under the situation that has arisen, I direct you to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question, relying upon the fifth amendment.

Mr. ARENS. Mr. Grossman, in the documents which you have transferred to the custody of the committee, I have in my hand at the present time a letterhead of the Michigan Committee for Protection of Foreign Born, and on the letterhead appears "Executive Secretary, Saul Grossman." And in the body, or beneath the body of the letter on the letterhead, appears the signature "Saul Grossman, Executive Secretary."

My associate, Mr. Appell, will lay that before you now. You look at that document and please tell this committee whether or not you are the Saul Grossman who is designated as executive secretary of the Michigan Committee for Protection of Foreign Born.

Mr. GROSSMAN. Before I answer that question may I have a refill of this glass of water?

Mr. ARENS. Surely. Could you answer it while he is doing it? It would save a little time, if you please.

Mr. GROSSMAN. (after referring to document). I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. Now I have in my hand about a dozen documents of a dozen different organizations in Michigan, all of which documents were in the documents which you transmitted to the committee.

(Representative Donald L. Jackson returned to the hearing room at this point.)

Mr. ARENS. (continuing). And I want to have Mr. Appell lay before you, one by one, each of these documents alluding to a separate committee, and have you tell this Committee on Un-American Activities whether or not you know anything about each of these several

committees or organizations that have documents in the pile of documents you transmitted to the committee.

The first document is the Gus Polites Defense Committee, 5258 Calhoun Street, Dearborn, Mich., and that says: "Protect your citizenship. Gus Polites. Defend his."

(See exhibit No. 287a, b, appendix, pp. 7593, 7594.)

According to the body of this document, Gus Polites is an active participant in the fight to repeal the Walter-McCarran Act, he is a fighter for peace, and fighter for lots of things.

Please look at this little pamphlet on the Gus Polites Defense Committee which was in the stack of documents which you transmitted to the committee, and tell the Committee on Un-American Activities whether or not this Gus Polites Defense Committee is controlled, to your certain knowledge, by the Communist conspiracy.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Is that Gus Polites Defense Committee an entity created by the Michigan Committee for Protection of Foreign Born?

Mr. GROSSMAN. The same answer.

Mr. ARENS. Now I lay before you another document which was in this stack of documents which you transmitted to the committee, the Peggy Wellman Defense Committee, room 920, 2033 Park Avenue, Detroit 26, Mich., in which it is set forth that this lady Peggy Wellman is being deported like 10,000 other people under the McCarran-Walter Act. The recipient of the pamphlet is urged to send a contribution, urged to contact various officials of the Government, insisting upon a repeal of the security provisions of the Walter-McCarran Act.

(See exhibit No. 288a-d, appendix, pp. 7595-7598.)

Now this document was one of the documents which you just transmitted to our committee here. Please look at this document of the Peggy Wellman Defense Committee and tell the Un-American Activities Committee whether or not the Peggy Wellman Defense Committee was created by the Communist conspiracy to your certain knowledge.

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHIERER. I ask that you direct the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. ARENS. Who is Peggy Wellman?

Mr. FRAZIER. Wait a minute.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question, relying on the fifth amendment.

Mr. ARENS. Who is Peggy Wellman?

Mr. GROSSMAN. The same answer.

Mr. ARENS. She was a Communist, was she not, up for deportation under the Walter-McCarran Act? Isn't that correct?

Mr. GROSSMAN. The same answer.

Mr. ARENS. I have still another document which you just transmitted to the committee—Fred Williams Defense Committee, Local 208, UAW-CIO, 2123 Gratiot Avenue, Detroit, Mich. We see here a picture of the Statue of Liberty and see the Walter-McCarran Act desecrating the Statue of Liberty. We see a call upon the recipients to speak against the infamous Walter-McCarran Act. Its design, according to this pamphlet, is to intimidate one-fourth of the

population of the United States, and is directed against a number of people, including Fred Williams.

(See exhibit No. 289a, b, appendix, pp. 7599, 7600.)

Please tell the committee whether or not you have certain knowledge that the Fred Williams Defense Committee was created by the Communist conspiracy in Michigan as an entity under the Michigan Committee for Protection of the Foreign Born.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I have still another document which you have transmitted to this Committee on Un-American Activities of the Congress. It is a pamphlet of the Greek-American Defense Committee, 920 Charlevoix Building, 2033 Park Avenue, Detroit, Mich.

Raise your voice! An atrocity is being committed before our eyes.

This one man is used as an illustration, who has a name very difficult to pronounce—Parashiades—Greek American, who is up for deportation because he belonged to a political organization.

(See exhibit No. 290, appendix, p. 7601.)

Now tell the Committee on Un-American Activities whether this Greek-American Defense Committee is an entity, to your certain knowledge, which was created by the Communist conspiracy in Michigan.

(The witness confers with his counsel.)

Mr. GROSSMAN. I refuse to answer that question, but support everything that is said in that leaflet.

Mr. ARENS. Let me have it back and see if you will support it under oath.

Was, to your certain knowledge, Mr. Parashiades a member only of a political party or was he, on the other hand, a member of the Communist conspiratorial apparatus?

Mr. GROSSMAN. I decline to answer that.

Mr. ARENS. Then you are not going to, while you are under oath, support everything that is in this pamphlet. Is that correct?

Mr. GROSSMAN. I have already answered that question.

Mr. ARENS. Answer the question again. You have just told us and opened the door, that you are going to support everything in that pamphlet.

Tell the committee whether or not, to your certain knowledge, the Greek-American Defense Committee is located at 920 Charlevoix Building in Detroit.

(The witness confers with his counsel.)

Mr. GROSSMAN. Mr. Chairman, I am here under compulsion, and I refuse to disclose any information to this committee, relying on the fifth amendment when I may do so.

What I offer voluntarily is my business.

Mr. ARENS. Mr. Chairman, the witness has opened the door by saying he supports everything in this pamphlet. That is a volunteered statement. Therefore, he has waived any immunity respecting the contents of this pamphlet, or his knowledge of the contents of this pamphlet.

I, therefore, request that the witness be ordered and directed to answer the last principal question.

Mr. FRAZIER. In view of that fact, you are directed to answer the question.

Mr. GROSSMAN. I decline to answer that question, based on the fifth amendment.

Mr. ARENS. Now do you know a man by the name of Gus Polites who is alluded to in this pamphlet of the Greek-American Defense Committee?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Do you know whether or not he is a Communist?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. This pamphlet talks about phony charges against Parashiades.

Was he, to your certain knowledge, a member of the Communist Party, and were these charges against him phony?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I want to invite your attention to still another pamphlet which was in the stack of pamphlets and material which you transmitted to the committee. It is published by the Stanley Nowak Defense Committee. And again we see the Statue of Liberty and the Emma Lazarus poem with the statue of freedom. We see a sad case of Stanley Nowak who is under deportation because of political affiliations and political beliefs, and the vicious government is trying to revoke his citizenship. And many, many others, according to this pamphlet, are under unwarranted attack all because of the Walter-McCarran Act.

(See exhibit No. 291, appendix, pp. 7602-7613.)

Now would you kindly tell us whether or not the Stanley Nowak Defense Committee was, to your certain knowledge, created by the Communist conspiracy in Michigan as a subsidiary organization of the Michigan Committee for Protection of Foreign Born?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I have still another pamphlet I want to invite your attention to—and we have not had a chance to do more than just glance at this array of pamphlets which you have presented to the committee—and this again is a pamphlet or leaflet which you presented to the committee. It is the Italian-American Committee for Protection of Foreign Born, 1442 Griswold Street, room 303, Detroit 26, Mich.

According to this pamphlet, the vicious McCarran-Walter Act is being used to deport a man who is portrayed here in his army uniform. And the recipient of the leaflet is requested to get organizations and church groups to demand that deportation proceedings against this person be dropped.

Kindly look at this pamphlet, if you please, sir, and tell the Committee on Un-American Activities whether or not, to your certain knowledge, the Italian-American Committee for Protection of Foreign Born was created and controlled by the Communist conspiracy to your certain knowledge.

(See exhibit No. 292, appendix, p. 7614.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I have still another pamphlet which was in this stack of pamphlets which you transmitted to the committee. It is a bulletin of the American Committee for Protection of Foreign Born, dated July 5, 1955, with reference to a number of organizations and defense committees. And this bulletin was in the stack of bulletins and leaflets which you have transmitted to the custody of the Committee on Un-American Activities.

Look at this bulletin, sir, and tell this Committee on Un-American Activities, while you are under oath, whether or not, to your certain knowledge, the American Committee for Protection of Foreign Born and the Michigan Committee for Protection of Foreign Born are integral parts of the same operation.

(The witness confers with his counsel.)

(Document handed to the witness.)

Mr. GROSSMAN. What same operation are you referring to?

Mr. ARENS. The operation of the Communist conspiracy.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now, Mr. Grossman, pursuant to the arrangements of this committee, a witness is entitled to receive his pay for his transportation and for his per diem, witness fee. But to do so it is necessary that he sign a pay voucher.

Without in any sense undertaking to be surreptitious about it, I say now I want to have this voucher presented to you for the purpose of procuring your signature so that your signature can, on this record, be compared with other signatures of Saul Grossman affixed to various letterheads of the Michigan Committee for Protection of Foreign Born.

Mr. Appell, will you presently lay this voucher before Mr. Grossman and show him where the payee is to sign, with the request from me now that he affix his signature to the pay voucher.

Mr. GROSSMAN. Have you figured out how much I am entitled to?

Mr. ARENS. You will receive the necessary—

Mr. GROSSMAN. Have you figured it out? Is it on there?

Mr. ARENS. Will you sign it as soon as it is filled out? It is just a matter of figuring it out to fill it out.

Mr. GROSSMAN. Will you fill it out?

Mr. ARENS. Will you sign it?

Mr. GROSSMAN. Will you fill it out?

Mr. ARENS. Mr. Chairman, I respectfully suggest that you order and direct the witness to answer whether or not he will sign this voucher while he is under oath.

Mr. FRAZIER. You are directed to sign the voucher when it is properly filled out. I can't direct him to sign it before it is filled out.

Mr. ARENS. I ask that you direct him to answer the question whether or not he will sign it when it is filled out.

Mr. GROSSMAN. I have to see it first.

Mr. ARENS. I respectfully suggest, Mr. Chairman, in order to save time on this record, if, as, and when this witness signs the pay voucher made out to himself, as Mr. Appell will display to him either while he is under oath or after he is released from testifying, that that part of his pay voucher bearing his signature be incorporated in the body of the record so that it may be used for comparison with other signatures which we have of Saul Grossman.

Mr. FRAZIER. It is so directed.

Mr. JACKSON. Might we save some time by asking the witness if he will sign his name?

Do you have any objection to that, Mr. Grossman?

Mr. GROSSMAN. Yes; I have objection.

Mr. VELDE. You mean objection to signing his name on a blank piece of paper?

Mr. JACKSON. You do object to signing your name?

Mr. GROSSMAN. Yes. By the way, I would sign——

Mr. VELDE. Why do you object to that?

Mr. GROSSMAN. I don't object to signing the pay voucher, by the way. I just want it filled out. You want me to sign a blank piece of paper.

Mr. VELDE. You will sign a pay voucher?

Mr. GROSSMAN. Of course. I will. I am entitled to my mileage and allowances. There is no attempt to conceal anything.

(Document marked "Exhibit No. 301," see appendix, p. 7624.)

Mr. ARENS. Mr. Grossman, I now lay before you a photostatic copy of each of two documents. One is an application for a special beer and wine license, filed with the Michigan Liquor Control Commission by the Michigan Committee for Protection of Foreign Born, 2033 Park Avenue, Detroit, bearing the signature of Mignon Wellman and Saul Grossman. And then the second document is the surety bond application submitted with the first document.

Please look at these two documents and tell the Committee on Un-American Activities whether or not these documents present a true and correct reproduction of your signature as affixed to the originals.

(Document marked "Exhibit No. 302a, b," see appendix, pp. 7625, 7626.)

Mr. GROSSMAN. I decline to answer the question.

Mr. ARENS. Why?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect an order and direction to the witness to answer the question.

And I say, without meaning to take advantage of you at all, that you have not invoked the fifth amendment.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question, basing myself on the fifth amendment.

Mr. ARENS. Now I would like to invite your attention to an article appearing in the Detroit News, July 22, 1949, and bearing in mind, if you please, the date, sir, according to the first paragraph of this article—

Three Detroit Italian born men were named by Federal authorities as members of organizations advocating overthrow of the United States Government by force.

(Document marked "Exhibit No. 303," see appendix, p. 7627.)

Mr. ARENS. Please look at this article, Mr. Grossman, and tell the Committee on Un-American Activities if it is not a fact that the incident alluded to in this article was the incident which precipitated the formation of the Michigan Committee for Protection of Foreign Born.

(Document handed to the witness.)

(The witness confers with his counsel.)

(Committee members present: Representatives Frazier, Velde, Jackson, and Scherer.)

Mr. GROSSMAN. I refuse to answer.

Mr. ARENS. Why?

Mr. GROSSMAN. The same reasons previously stated.

Mr. ARENS. Give them again then, please. Let's have the record clear. Why do you refuse to answer?

Mr. GROSSMAN. I refuse to answer.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question. There has been no invocation of the fifth amendment.

(The witness confers with his counsel.)

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I am sorry. Was there——

Did the Chair speak?

Mr. FRAZIER. I said I directed you to answer the question.

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. Mr. Witness, I lay before you a photostatic copy of The Lamp, which is, according to its masthead, the official publication of the American Committee for Protection of Foreign Born. This is the issue of January 1950. And in this issue we see reference to the Detroit Committee for Protection of Foreign Born, organized in November, holding a very successful picket line at the Immigration and Naturalization Service during the Anna Ganley deportation hearings.

(See exhibit No. 14, appendix, pp. 7111, 7112.)

I put it to you as a fact and ask you to affirm or deny the fact that the Detroit Committee for Protection of Foreign Born was the predecessor organization of the Michigan Committee for Protection of Foreign Born and that it, likewise, was created and controlled by the Communist conspiracy in the State of Michigan.

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. I ask the witness be directed to answer.

Mr. FRAZIER. You are directed to answer.

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. I would like to have you look at a photograph from the Detroit News, October 11, 1948, of an individual using a fire hydrant for the purpose of affixing a placard to a stick. Right adjacent to the stick is a sign "Protest Indictment of 12 Communist Leaders."

Look at this photograph and tell this Committee on Un-American Activities if you can identify that individual and be helpful to your Government with respect to its activities to root out subversives.

(Document marked "Exhibit No. 304," see appendix, p. 7628.)

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. I ask that the witness be directed to answer.

Mr. FRAZIER. Yes.

Mr. ARENS. That photograph is a photograph of you, is it not?

Mr. GROSSMAN. How anybody can identify anything in this picture is beyond me.

Mr. ARENS. Just tell this committee whether or not you have a recollection that that is your photograph.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee while you are under oath whether or not that is your photograph you would be supplying information which might be used against you in a criminal proceeding?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect that this witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. ARENS. And I say that question was asked, among other reasons, to test the good faith of this witness because of his facetious attitude with reference to the photograph.

(The witness confers with his counsel.)

Mr. GROSSMAN. I object to that remark by counsel.

Mr. ARENS. Then just stand up while you are under oath and tell this committee whether or not you honestly anticipate that if you told the committee while you are under oath if that is your photograph you would be supplying information which can be used against you in a criminal proceeding.

(The witness confers with his counsel.)

Mr. GROSSMAN. I refuse to answer that question, relying on the fifth amendment.

Mr. ARENS. I want to invite your attention to still another edition of The Lamp of the American Committee for Protection of Foreign Born. It is the issue of February-March, 1950, and alludes here to the establishment and creation of a Michigan Committee for Protection of Foreign Born, which established offices at room 424, 140 Cadillac Square, Detroit, Mich.

(See exhibit No. 9, appendix, pp. 7102, 7103.)

And, curiously, there is a name here that has been a name raised in our record in the last hour or so. Mr. Saul Grossman is serving as secretary.

And the committee scheduled a Michigan State Action Conference. It also tells about the establishment of an Andrulis Defense Committee.

Please look at this document and tell the committee whether or not you are the Saul Grossman alluded to in connection with the Michigan Committee for Protection of Foreign Born.

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. I ask the witness be directed to answer.

Mr. FRAZIER. You are directed to answer.

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. This Andrulis Defense Committee has held 2 or 3 mass meetings here in Chicago in addition to the mass meetings held in Detroit, all in the course of the last several weeks. Is that not correct?

Mr. GROSSMAN. I decline to answer that question.

Mr. JACKSON. I ask the witness be directed. It is quite obvious, Mr. Chairman, the witness is simply entering a declination.

Unless there is a direction, he is not invoking his constitutional privilege.

Mr. FRAZIER. You are quite right.

You are directed to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question, basing myself on the fifth amendment.

Mr. ARENS. Who is Vincent Andrulis?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Do you know him?

Mr. GROSSMAN. I decline to answer.

Mr. ARENS. You had your picture taken with him not too long ago, didn't you?

Mr. GROSSMAN. I decline to answer.

Mr. ARENS. I want to exhibit to you now an article bearing a photograph. They are an article and photograph from the Detroit News of February 27, 1950.

(Documents marked "Exhibits Nos. 305 and 306," see appendix, pp. 7629, 7630.)

According to this article, loyal Americans of Lithuanian descent issued a statement which read, in part, as follows:

A Communist fifth column has long been busy in this free country. * * * With deep regret we admit that among the Moscow agents are some individuals of Lithuanian origin. We repudiate these traitors and will work to expose them.

Then we have here a photograph, right here in connection with this article, of one Vincent Andrulis. And then he is accompanied here by one of his defenders, according to the article, one Saul Grossman, identified under the photograph as executive secretary of the Michigan Committee for the Protection of the Foreign Born.

Look at that article and that photograph and see if you can't help your Government by giving us a verification of the authenticity of that identification.

Mr. GROSSMAN. I decline to answer.

Mr. SCHERER. I ask that you direct the witness to answer.

(Representative Donald L. Jackson left the hearing room at this point.)

Mr. FRAZIER. You are directed to answer, Mr. Witness.

Mr. GROSSMAN. I decline to answer that question, based on the fifth amendment.

Mr. ARENS. Your interest has expanded in the course of the last few years from immigration matters into other anti-Communist legislation, has it not?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Well, I want to exhibit to you now a document published by the Michigan Committee for Protection of Foreign Born, Saul Grossman, executive secretary. And it calls for the defeat of the Hobbs bill, to stop deportation hysteria, prevent annulment of citizenship, and attacking various legislative actions by the Congress, all issued by the Michigan Committee for Protection of Foreign Born, Saul Grossman, executive secretary.

Look at this and tell this committee while you are under oath if you cannot help the Government of the country under whose flag you have protection by telling us whether or not, to your certain knowledge, that leaflet was published by people known by you to be in the international Communist conspiratorial apparatus.

(Document marked "Exhibit No. 307 a-d," see appendix, pp. 7631-7634.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I would like to invite your attention to still another exhibit.

This in an organ of the American Committee for Protection of Foreign Born, the Lamp. It tells about a Michigan Committee for Protection of Foreign Born holding a conference at Ford Local 600 auditorium in Michigan. It tells a good deal about the activities of this Michigan Committee for Protection of Foreign Born, about the establishment of a number of subordinate committees.

Kindly look at this document and tell us whether or not, to your certain knowledge, the Michigan Committee for Protection of Foreign Born held this conference as indicated in the Lamp of August 1951.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I show you a photostatic reproduction of the official summary of proceedings of this conference alluded to in the preceding exhibit, held at Ford Local 600 auditorium, and I ask you if you will kindly tell us who, to your certain knowledge, of the number of persons alluded to as leaders of the conference, including yourself—Saul Grossman, executive secretary of the Michigan Committee for Protection of Foreign Born—are members of the Communist conspiratorial apparatus.

(See exhibit No. 41, appendix, pp. 7157, 7158.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

This is the last time I will warn him.

He has not invoked the fifth amendment.

Mr. Grossman, if you do not answer that you fear your answers to these questions would incriminate you, you have no right to refuse to answer those questions.

Mr. FRAZIER. Mr. Witness, you are directed to answer the question.

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. FRAZIER. You will save a lot of time when you decline if you will state that.

Mr. GROSSMAN. Well, I respectfully submit to the chair that I am not required to answer the questions when the counsel asked me.

Mr. ARENS. Now I lay before you a document, a reproduction of still another issue of the Lamp, with reference to this session at Ford Auditorium, in which is set forth the number of speakers who spoke there, including a number of people identified with the American Committee for Protection of Foreign Born: Harriet Barron, Attorneys Carol King and George Crockett, Charles Hill and others.

Kindly look at this exhibit and see if that might refresh your recollection with reference to that meeting. And tell us whether or not, to your certain knowledge, these people from the American Committee for Protection of Foreign Born did occupy positions of leadership in this Michigan Conference for Protection of Foreign Born.

(See exhibit No. 20, appendix, p. 7119.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now did you participate in a national conference on stopping deportation and attacking the immigration laws right here in Chicago on June 9, 1951?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have here in my hand a summary of the proceedings, and in these proceedings Abner Green tells the executive committee of the American Committee for Protection of Foreign Born that the American Committee for Protection of Foreign Born has created 100 organizations in 15 key States all designed to destroy the Walter-McCarran Act and create sentiment across the Nation, at the cross-roads, to bring pressure on Congress to destroy the law.

Were you in attendance at that session?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I show you still another exhibit. It is an exhibit of the National Conference of Deportee Defense Committees, which myriad number of defense committees all assembled here in Chicago for the purpose of undertaking to block the deportation of Communist agents.

Now look at this document and tell this committee whether or not you are the Saul Grossman alluded to in here as representing the Michigan Committee for Protection of Foreign Born.

(See exhibit No. 42, appendix, pp. 7158-7160.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Do you know John Gallo, G-a-l-l-o?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. Did you attend the 20th anniversary national conference of the American Committee for Protection of Foreign Born held December 1951?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have in my hand a photostatic copy of a letterhead of the Michigan Committee for Protection of Foreign Born, signed Saul Grossman, executive secretary, in which there is an appeal for funds and a request that all organizations that receive this document organize and send delegations to Washington and contact the various Senators and Congressmen, that they vigorously protest the victims of the Smith Act and of the McCarran Act—that is the Internal Security Act—and the Immigration and Nationality Act.

Please look at this document and then tell this committee whether or not you are registered under the Lobbying Act of the United States Congress.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that he answer the question as to whether or not he is registered under the Lobbying Act of the United States Congress, and that he either answer it or not answer it at his peril because that is a matter of public record.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. Now I have still another exhibit. It is a leaflet issued by the Polish-American Committee for Protection of Foreign Born. And in this pamphlet they indicate a number of offices of the American Committee for Protection of Foreign Born, about a dozen different offices around the country in various States.

This pamphlet is entitled "Know Your Rights." It tells about how the vicious McCarran-Walter Act is being used to denaturalize citizens because of political beliefs and political affiliations, how noncitizens are being denaturalized just because they refuse to answer questions.

You look at this pamphlet and tell this committee whether or not, to your certain knowledge, the Polish-American Committee for Protection of Foreign Born was created and is controlled by the Communist conspiracy in the United States.

(Document marked "Exhibit No. 308a, b," see appendix, pp. 7635, 7636.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I have still another document. It is a letterhead of the Michigan Committee for Protection of Foreign Born. And, curiously enough, this is signed by Margaret Fishman for Provisional Committee for Youth Participation.

It seems the committee is going to get some youth now to participate.

Kindly look at this document and tell the Committee on Un-American Activities whether or not, to your certain knowledge, Margaret Fishman did head a Provisional Committee for Youth Participation in the activities of the Michigan Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 309," see appendix, p. 7637.)

(The witness confers with his counsel, and examines the document.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Why?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect an order to this witness to answer the question.

He knows and his counsel knows he has no right to refuse to answer these questions unless he honestly apprehends that the answer would supply information which could be used against him in a criminal proceeding.

(The witness confers with his counsel.)

Mr. FRAZIER. Mr. Witness, you are again directed to answer the question.

Mr. GROSSMAN. Mr. Chairman, I would like to respectfully state again—

Mr. FRAZIER. Now you only have to state your reasons for declining.

If you decline because of the fifth amendment the committee goes no further into it.

Mr. GROSSMAN. I think the chair should also enlighten the counsel that I don't have to answer his questions in the way that he wants me to answer it.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the last outstanding question at his peril.

Mr. FRAZIER. You are directed to answer.

Mr. GROSSMAN. I decline to answer that question, Mr. Chairman, basing myself on the fifth amendment.

Mr. VELDE. Mr. Grossman, are you aware of the fact that the American Committee for Protection of Foreign Born has been cited by the Attorney General and by the Un-American Activities Committee as a subversive organization?

Mr. GROSSMAN. I decline to answer that question, sir.

Mr. VELDE. I move that you direct him to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. Mr. Chairman, I respectfully decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. I have in my hand photostatic reproductions of some financial records of the Michigan Committee for Protection of Foreign Born: Fight Back Fund Drive to Defend the Rights of Foreign-Born Americans.

And there are about two dozen organizations, almost all nationality groups—Italian-Americans, Mexican-Americans, Finnish-Americans

and the like, about two dozen organizations. And opposite the name of each of these various organizations are items showing a quota to be established and funds raised to date, all on the letterhead of the Michigan Committee for Protection of Foreign Born, showing very substantial funds elicited from these some 2- or 3-dozen nationality-group organizations in Detroit.

Kindly look at the documents and tell this committee while you are under oath whether or not those funds were solicited by the Michigan Committee for Protection of Foreign Born from those numerous nationality groups in residency in Detroit or in Michigan.

(Documents marked "Exhibits Nos. 310 and 311," see appendix, pp. 7638, 7639.)

(The witness and his counsel examine the document.)

Mr. ARENS. You will observe that the quotas established there are several thousand dollars, all to be collected by the Michigan Committee for Protection of Foreign Born.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered and directed to answer the question.

Mr. GROSSMAN. I respectfully decline to answer that question, basing myself on the fifth amendment.

Mr. ARENS. Now I show you a mimeographed announcement on the letterhead of the Michigan Committee for Protection of Foreign Born of a meeting to be held in the Hotel Tuller, Detroit, Mich., all for the purpose of creating sentiment and action to repeal the Walter-McCarran Act and to defend certain of its victims.

Kindly look at that announcement and tell this committee whether or not you set that meeting up.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I have still another document. It is the proceedings of the Michigan Conference To Repeal the Walter-McCarran Law and Defend the Rights of Foreign-Born Americans.

According to these proceedings, representatives from all over the United States were in attendance. Curiously enough, one of the men in leadership position here is a Mr. Saul Grossman, executive secretary of the Michigan Committee for Protection of Foreign Born.

Look at that document and see if you can't help your Government by identifying it and attesting to its authenticity.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. You will observe in this first proceeding that Mr. Carl Marzani was the main speaker of the afternoon.

Tell the committee, while you are under oath, who was Carl Marzani and what was he doing at that meeting.

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have in my hand a release by the Michigan Committee for Protection of Foreign Born: "Congress Urged to Declare Moratorium on Deportations and Denaturalizations," calling upon the recipient organization to join this campaign to send delegations to Washington to contact the local Congressmen and Senators and ask them to take a public position on this vital matter of defending the

victims of the Walter-McCarran law, all a key issue of this conference.

Now look at this document I have in my hand. And, before you answer it, tell this committee if you have information on the deportation proceedings against a single individual who was defended by the Michigan Committee for Protection of Foreign Born in a deportation proceeding who was not, to your certain knowledge, a member of the Communist conspiracy.

(Document marked "Exhibit No. 312a, b," see appendix, pp. 7640, 7641.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that every individual defended by the Michigan Committee for Protection of Foreign Born was a member of the Communist conspiracy.

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. I ask that you direct the witness to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I decline to answer the question, basing myself on the fifth amendment.

Mr. ARENS. Here is still another conference held at the penthouse of the Metropolitan Building, Woodward and Broadway: "Call to a Conference to Protect the Citizenship of Foreign-Born Americans" and to repeal the Walter-McCarran law, urging everyone to write letters and to contact their Congressmen to repeal the Walter-McCarran law, and protesting the arrest of certain innocent people, listing here a number of the innocent victims of the Walter-McCarran Act, all under the auspices of the Michigan Committee for Protection of the Foreign Born.

Please look at that document, sir, and see if you can't verify its authenticity, to serve your government.

(Document marked "Exhibit No. 313," see appendix, pp. 7642, 7643.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that last outstanding question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question, based on the fifth amendment.

Mr. ARENS. You have been the chairman of the resolutions committee of most of these national conferences in which resolutions have been passed right and left condemning the Walter-McCarran Act, the Internal Security Act, the Smith Act, the Communist Control Act, and other items of legislation all designed to ferret out those who would destroy this great Republic.

Is that not true?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have here still another document. It is addressed to all trade-union officers, editors, educational directors.

The enclosed analysis of the Walter-McCarran Act was prepared primarily for use by union officials and editors of labor publications as source and background material.

It highlights sections of the law. It is to be useful in preparing articles, editorials, speeches, and additional information will be sent upon request. And:

We firmly believe that the widespread dissemination of facts on the Walter-McCarran Act will help translate into reality trade-union resolutions calling for repeal of the law.

That is signed by Saul Grossman, executive secretary.

See if you can't help your government by identifying the authenticity or verifying the authenticity of that document.

(Document marked "Exhibit No. 314," see appendix, p. 7644.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have still another document I thought might be of interest to you: Michigan Committee for Protection of Foreign Born, Saul Grossman, executive secretary, addressed to "Dear candidate for public office."

And connected hereto is a little poll of the candidate for public office after he has received this analysis of the Walter-McCarran Act and after his attention has been directed to resolutions of a great number of civic, fraternal, veteran, religious, labor groups attacking the Walter-McCarran Act, and after it has been said that all these groups are going to be dedicated to retiring from Congress those who won't vote to repeal the Walter-McCarran Act.

Kindly look at that document and tell us while you are under oath, sir, if that document was, to your certain knowledge, prepared by people known by you to be members of the Communist conspiratorial apparatus.

(See exhibit No. 294, appendix, p. 7616.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have still another document which I should like to direct your attention to. It is a photostatic copy of a letter dated December 28, 1954, signed by Rev. Paul Johnson Allured, of Lansing, Mich., and 2 or 3 preachers or pastors, all on the letterhead of the Michigan Committee for Protection of Foreign Born, saying, in effect, that the act offends tolerance and offends liberty and the traditional concept of what constitutes due process and the like.

Please tell the committee while you are under oath whether or not that letter was prepared by a member of the Communist conspiratorial apparatus and those signatures were procured by a person known by you to be in the Communist conspiratorial apparatus.

(Document marked "Exhibit No. 315," see appendix, p. 7645.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have still another document to which I should like to invite your attention. It is a mimeographed letter dated October 19, 1955, on the letterhead of the Michigan Committee for Protection of Foreign Born. It is addressed to all candidates for public office in the 15th Congressional District, calling for basic changes in the Walter-McCarran Act, and containing a form letter which is being sent to the Judiciary Committee of the United States Senate, listing a number of religious, labor, fraternal, veterans', and civic groups representing millions of Americans, all condemning the Walter-McCarran law as "racist, discriminatory, and undemocratic."

It has an analysis and comparison here of what the law is and what it ought to be.

Curiously enough, the provisions which are analyzed are exclusively the security provisions of the Walter-McCarran Act.

Please look at this document and its accompanying document, and tell this committee whether or not, to your certain knowledge, this publication, this release, emanated from a source known by you to be under the discipline of the Communist conspiratorial apparatus.

(Documents marked "Exhibit No. 316a-c," see appendix, pp. 7646-7648.)

Mr. GROSSMAN. From your reading of it, it sounds like a very good letter to have gone out to people.

Mr. ARENS. You just keep on talking.

Tell us what you know about the letter.

Mr. GROSSMAN. I don't want to answer any questions about it.

Mr. ARENS. Do you endorse the contents of the letter?

Mr. GROSSMAN. I don't wish to answer any questions about it.

Mr. ARENS. I show you a document which is a mimeographed sheet headed "Conference to Repeal the Walter-McCarran Law and To Defend the Rights of Foreign-Born Americans," Sunday, February 27, 1955, under the auspices of the Michigan Committee for Protection of Foreign Born, listing a number of cases, 75 people in Michigan being deported, against whom deportations have been instituted, 25 people being denaturalized, and 500 noncitizens who are being proceeded against under the Walter-McCarran Act, and telling of the widespread opposition to this act, and calling upon the recipients to get resolutions from all kinds of agencies, Federal, State, local, county, and to write to Governor Williams, Senator McNamara, Congressman Diggs, and Councilman Lincoln, and other officials.

Tell the committee while you are under oath whether or not, to your certain knowledge, that document emanated from a source known by you to be a part of the Communist conspiratorial apparatus.

(Document marked "Exhibit No. 317," see appendix, p. 7649.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now I show you still another document. It is a mimeographed paper known as the Defender. According to its masthead, it is published by the Michigan Committee for Protection of Foreign Born.

Please look at this document and tell us if you can identify the people who appear in positions of leadership in the document as individuals known by you to be in the Communist conspiratorial apparatus.

(Document marked "Exhibit No. 318," see appendix, pp. 7650-7653.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have still another document, and that is a mimeographed copy of a letter dated April 10, 1956, signed Saul Grossman, executive secretary, which deals with a birthday party which is being given for Stanley Nowak, all under the auspices of the Michigan Committee for Protection of Foreign Born. They are going to raise some funds at this birthday party to struggle to defend the citizenship rights of certain people and to repeal the Walter-McCarran Act.

Please look at that and see if you can't help the committee of the Congress probing subversion, and tell us whether or not, to your certain knowledge, that meeting was under the auspices of individuals known by you to be in the Communist conspiratorial apparatus.

(Document marked "Exhibit No. 319," see appendix, p. 7654.)

(The witness examines document, and confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question.

Mr. ARENS. I have still another exhibit. This exhibit is entitled "Conference To Repeal the Walter-McCarran Law and to Defend the Rights of the Foreign-Born Americans," held May 13, 1956. And there are a number of sponsors here, all under the auspices of the Michigan Committee for Protection of Foreign Born.

We have here, too, the list of the notables sponsoring the conference; 75 in Michigan alone, according to this document, are victims of this unholy Walter-McCarran Act.

Please look at that document and see if you cannot verify the authenticity of that document for this committee of the Congress.

(Document marked "Exhibit No. 320a-c," see appendix, pp. 7655-7657.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. I have an exhibit of the Michigan Committee for Protection of Foreign Born, November 25, 1955, a letter addressed to "Dear Rose," signed by Saul Grossman. And this "Dear Rose" is with the Los Angeles Committee for Protection of Foreign Born.

This letter tells about 100 copies of a little booklet to be distributed at a national conference. And in it, it poses the query as to why only 1,100 people showed up at the banquet out there in Los Angeles of the Los Angeles Committee for Protection of Foreign Born. And it also congratulates Rose on the tremendous victory they won in getting the Supreme Court to review the Smith Act convictions and the like.

(The witness confers with his counsel.)

Mr. ARENS (continuing). Please look at this letter signed Saul with the typewritten name Saul Grossman, and tell this committee whether or not this Rose is Rose Chernin of the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 321," see appendix, p. 7658.)

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Now do you know a person by the name of Louise Pettibone Smith?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Louise Pettibone Smith identified you while she was under oath before the Subversive Activities Control Board on December 21, 1955, as the executive director of the Michigan Committee for Protection of Foreign Born.

Was she lying or telling the truth?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Back in May of 1954 before the House Committee on Un-American Activities, a Mr. Mikkelsen, M-i-k-k-e-l-s-e-n, was sworn and testified before the committee that while he was a member of the Communist Party he knew you as a Communist.

Was Mikkelsen lying or was he telling the truth?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. In May of 1954, again another person, a Mrs. Baldwin, testified before the Committee on Un-American Activities that while she was a member of the Communist Party she knew you as a Communist and as a member of the 12th Street Club of the Communist Party.

Was she lying or telling the truth?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Are you now a member of the Communist conspiratorial apparatus?

Mr. GROSSMAN. I decline to answer that question.

Mr. ARENS. Do you know a man by the name of Stephen——

Mr. SCHERER. Just a minute.

Witness, do you mean to tell us that you won't tell this committee whether you have been a member of the Communist——

Don't laugh.

Mr. GROSSMAN. I am not laughing. I am speaking to my counsel.

Mr. SCHERER. Were you talking to him?

Mr. GROSSMAN. Yes, I was.

Mr. SCHERER. Have you finished then?

Mr. GROSSMAN. Yes. You may continue, Mr. Scherer.

Mr. SCHERER. Witness, let me ask you this question:

Have you been a member of the Communist Party since the Russians went into Hungary?

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. You mean you won't tell this committee whether or not you have kept your membership in the Communist Party since we know what happened in Hungary?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer any questions about my personal beliefs or opinions.

If you wish to make a speech——

Mr. SCHERER. I am not asking about your——

Mr. GROSSMAN. If you wish to make a speech, Mr. Scherer, I am sure you have the facilities to do so.

Mr. VELDE. Will the gentleman yield to me for a question?

Mr. SCHERER. Just one second.

I am not asking about your opinions and beliefs. I am asking you whether you have retained your membership in the Communist Party since the Russians moved into Hungary.

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. Have you protested the Russians' actions in any way?

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. Go ahead. I'm sorry.

Mr. VELDE. If you were called upon to enter the armed services of the United States of America would you be willing to fight against Soviet Russia?

Mr. GROSSMAN. I was a member of the Armed Forces for 4 years, Mr. Velde, and I would fight against any enemy of the United States.

Mr. VELDE. Just answer the question.

(The witness confers with his counsel.)

Mr. VELDE. I am sure your records reflect that.

Mr. GROSSMAN. I am still prepared to fight against any enemy of the United States.

Mr. VELDE. Would you be on the side of the rebels in Hungary or on the side of the others?

Mr. GROSSMAN. I am not in Hungary, Mr. Velde. That's for sure.

Mr. VELDE. I am sorry. I didn't hear you.

Mr. GROSSMAN. I am not in Hungary.

Mr. VELDE. I realize that.

Mr. GROSSMAN. My opinion about what I will do in any given circumstance is based on my knowledge of the facts in each situation.

Mr. VELDE. You won't answer the question as to whether you are on the side of the Soviets or on the side of the rebels?

MR. GROSSMAN. Are you asking for my opinion? Do you want a speech?

MR. VELDE. How do you feel about it in your own heart?

MR. GROSSMAN. I don't think it germane to the purposes of this committee's inquiry. I don't care to discuss it with you here. If you are interested in my opinions, Mr. Velde——

MR. VELDE. I think it is very germane.

MR. GROSSMAN. If you are interested in my opinions, Mr. Velde——

MR. VELDE. I think you are very dangerous to our security, and I would like to have you answer that question.

MR. GROSSMAN. If you are interested in my opinions on the subject, I will be glad to discuss them with you outside the committee chambers.

MR. VELDE. Why not here? This is the forum where you can talk. Search your soul and tell the people how you feel about the whole situation.

MR. GROSSMAN. Were you reelected to Congress this time, Mr. Velde, in this last election?

MR. VELDE. That doesn't answer the question.

MR. GROSSMAN. We are discussing opinions. I was wondering whether the people in your district thought that you——

MR. SCHERER. Mr. Velde retired. He did not run for reelection.

MR. GROSSMAN. Did you feel that the people of your constituency didn't have any confidence in your ability to represent them in the future?

MR. VELDE. Will you answer the question?

MR. GROSSMAN. I would like to ask some questions, too, then, if you want my opinions. I would like yours.

MR. VELDE. You are in the witness chair. You are not asking the questions of this committee.

(The witness confers with his counsel.)

MR. GROSSMAN. You have asked me for a personal opinion, Mr. Velde. You are bound by whatever answers I wish to give to you. If you don't like my answers I am very sorry.

MR. VELDE. If you are a true American and true patriot you will answer that question.

MR. GROSSMAN. That is what you think.

MR. SCHERER. Mr. Witness, you said you were a member of the Armed Forces.

While you were a member of the Armed Forces of the United States were you a member of the Communist Party?

(The witness confers with his counsel.)

MR. GROSSMAN. Were you a member of the Armed Forces, Mr. Scherer?

MR. FRAZIER. Mr. Witness, your answer is not responsive to the question. Either answer——

MR. GROSSMAN. I answered the question.

MR. FRAZIER. Either answer it or decline to answer.

MR. GROSSMAN. I think that the——

MR. FRAZIER. The Chair has treated you very courteously.

MR. GROSSMAN. I expect to be courteous.

MR. FRAZIER. Either answer or decline. Don't come back with another question to Mr. Scherer.

Mr. GROSSMAN. He is asking for opinions.

Mr. FRAZIER. He asked you if when you were a member of the Armed Forces were you a member of the Communist Party.

Mr. SCHERER. Whether he was a member of the Communist Party at the time he was a member of the armed services of the United States.

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. You said you were in the armed services of the United States.

You were in the armed services of the United States when Russia was a cobelligerent with the United States; were you not?

Mr. GROSSMAN. I was a member of the Armed Forces from 1942 to 1945.

Mr. SCHERER. That is all.

Mr. ARENS. Mr. Chairman, I respectfully suggest that, in the presence of this witness, another witness be sworn.

Please come forward, Mr. Stephen J. Schemanske.

Mr. Schemanske, kindly raise your right hand while the chairman administers an oath to you.

Mr. FRAZIER. Do you solemnly swear that the testimony about to be given in this hearing will be the truth, the whole truth, so help you God?

Mr. SCHEMANSKE. I do.

TESTIMONY OF STEPHEN J. SCHEMANSKE

Mr. ARENS. Mr. Schemanske, kindly identify yourself, please, sir. Kindly identify yourself by name and residence.

Mr. SCHEMANSKE. My name is Stephen J. Schemanske. I reside at 7001 Oakman Street in the city of Dearborn, Mich.

Mr. ARENS. I expect, Mr. Schemanske, later on to interrogate you at length on a number of matters. But, for the present purposes, I should like to ask you whether or not you have ever been a member of the Communist Party.

Mr. SCHEMANSKE. I have been a member of the Young Communist League and the Communist Party for approximately 15 years.

Mr. ARENS. And what were the dates of your membership in the Communist Party?

Mr. SCHEMANSKE. From the latter part of 1943 to December 1953, at which time I testified for our Government in the Smith Act trial of six leading Michigan Communist Party members.

Mr. ARENS. Did you at any time have an ideological affinity for the Communist Party during your membership in that organization? Or were you, on the other hand, serving your Government as a member of, or as a representative of, the Federal Bureau of Investigation, or undercover agent for the Federal Bureau of Investigation?

Mr. SCHEMANSKE. During my period of membership in the Young Communist League and the Communist Party I assisted our Government and did not believe in the policies and principles of the programs of the Communist Party during my period of membership.

Mr. ARENS. Your sole, exclusive function was to be an undercover agent in the Communist apparatus at the behest of the Federal Bureau of Investigation. Is that correct?

Mr. SCHEMANSKE. That is correct.

Mr. ARENS. Mr. Schemanske, during the course of your membership in the Communist conspiracy as an undercover agent for the Federal Bureau of Investigation, did you know a person by the name of Saul Grossman?

Mr. SCHEMANSKE. Yes; I did.

Mr. ARENS. Did you know this person as a Communist?

Mr. SCHEMANSKE. I did.

Mr. ARENS. Do you see in the courtroom today the person who was known by you to be the Communist Saul Grossman?

Mr. SCHEMANSKE. I do.

Mr. ARENS. Will you kindly point him out to the Committee on Un-American Activities?

Mr. SCHEMANSKE. It is the person sitting right there that you interrogated.

TESTIMONY OF SAUL GROSSMAN—Resumed

Mr. ARENS. Now, Mr. Grossman, you have just heard the testimony of Mr. Schemanske.

Would you kindly look him in the face so there will not be any suggestion of a faceless informer. Look him in the face while you are under oath and tell this Committee on Un-American Activities, when he identified you as a person known by him to be a Communist, was he lying or was he telling the truth?

Just look over there to your left now. Look him in the face and tell this committee was he lying or was he telling the truth.

Mr. GROSSMAN. I have heard of that as a paid labor spy for the Ford Motor Car Co., who committed perjury on the witness stand in the Federal court in Detroit.

Mr. SCHERER. Just a minute.

Mr. ARENS. Kindly answer the question.

Mr. FRAZIER. Just answer the question. Just answer the question, Mr. Witness.

Mr. ARENS. Was Mr. Schemanske lying or was he telling the truth? (The witness confers with his counsel.)

Mr. GROSSMAN. I wouldn't answer any questions put by a professional, paid informer.

Mr. ARENS. Mr. Chairman, I respectfully suggest, so that there will be no question at all about this record, that this witness now be ordered and directed to answer the question as to whether or not Mr. Schemanske was lying or telling the truth.

Mr. FRAZIER. Mr. Witness, you are directed to answer the question.

Mr. GROSSMAN. Mr. Chairman, I wish to state that—

Mr. FRAZIER. You can give your reasons for not answering after you have declined, if you wish to decline. But you needn't make a tirade.

Mr. GROSSMAN. I am faced with a perjurer here.

Mr. ARENS. Did he perjure himself just now when he identified you as a Communist?

Mr. GROSSMAN. Would you kindly not interrupt the chairman. Let me finish answering the question of the chairman.

I must respectfully decline to answer that question, Mr. Chairman, basing myself on the fifth amendment of the Constitution.

Mr. FRAZIER. Proceed, Mr. Arens.

Mr. VELDE. You do admit that you know Mr. Schemanske, however? (The witness confers with his counsel.)

Mr. GROSSMAN. I have heard of him.

Mr. VELDE. But do you know him personally?

Mr. GROSSMAN. I saw him in the courtroom in Detroit at the time he committed his perjury.

Mr. VELDE. Had you seen him before that time?

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. May I follow through?

Mr. VELDE. Yes.

Mr. FRAZIER. Go ahead, Mr. Scherer.

Mr. SCHERER. You said you saw him in the courtroom and you knew him by reputation.

Is that the only way you knew this witness here?

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. Were you telling the truth when you told us a few minutes ago that that was the only way you knew him was by reputation and by seeing him in the courtroom?

Mr. GROSSMAN. I didn't tell you that, Mr. Scherer.

Mr. SCHERER. What did you say?

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. I see.

Mr. FRAZIER. Proceed.

Mr. SCHERER. The fact is that you knew him as a member of the Communist Party. Isn't it?

Mr. GROSSMAN. Is that a question, Mr. Scherer?

Mr. SCHERER. Yes.

Mr. GROSSMAN. I decline to answer that question.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. GROSSMAN. I believe there was a previous direction, Mr. Chairman, was there not, on the same issue?

I am trying to save the time of the attorney.

Mr. FRAZIER. Just proceed to answer the question.

Mr. GROSSMAN. I decline to answer the question.

Mr. SCHERER. Is there a direction to answer the question? He again is following the policy of not invoking the fifth amendment unless he is directed to answer the question. I ask that he be directed to answer the question.

Mr. FRAZIER. All right. I have directed him to answer the question.

Mr. GROSSMAN. I believe I have answered. Is that correct?

I decline to answer, basing myself on the fifth amendment.

TESTIMONY OF STEPHEN J. SCHEMANSKE—Resumed

Mr. ARENS. Mr. Schemanske, just in a few moments, kindly summarize while you are under oath the dates and circumstances of your association with Mr. Grossman while you were an undercover agent of the Federal Bureau of Investigation in the Communist conspiratorial apparatus.

Mr. SCHEMANSKE. I have been subpoenaed here to appear by this committee, and I have known Saul Grossman in the Communist Party

for a number of years. And I also have known him as executive secretary of the Michigan Committee for Protection of Foreign Born.

Mr. ARENS. Was that while you were undercover agent for the Federal Bureau of Investigation?

Mr. SCHEMANSKE. That is correct.

Mr. ARENS. Somewhere in the early fifties. Is that correct?

Mr. SCHEMANSKE. That is correct.

Mr. ARENS. Can you tell us, have you ever served in a closed Communist Party meeting with Grossman?

Mr. SCHEMANSKE. Yes, I have, on many occasions. I served in conferences, conventions, and also was present at a language commission meeting of the Communist Party in which Saul Grossman was appointed to or elected, I should say, to this language commission of the Communist Party.

Mr. ARENS. Where was that held, please, sir?

Mr. SCHEMANSKE. That was held in November of 1953.

Mr. ARENS. Where, please, sir?

Mr. SCHEMANSKE. At the Cooperative Restaurant located above Yemans Hall in the city of Hamtramck, Mich.

Mr. ARENS. Did Grossman have a party name?

Mr. SCHEMANSKE. No, I do not recall Grossman having a party name.

TESTIMONY OF SAUL GROSSMAN—Resumed

Mr. ARENS. Now, Mr. Grossman, was Mr. Schemanske—look him in the face and tell this committee so there will be no faceless informers here—look him in the face and tell this committee—

Mr. GROSSMAN. You wouldn't care for me to puke over the table by looking him in the face.

Mr. ARENS. Tell this committee was he lying or telling the truth? (The witness confers with his counsel.)

Mr. GROSSMAN. Well, would he respond to a question—

Mr. ARENS. I respectfully ask that the witness—

Mr. GROSSMAN. As a spy for the Ford Motor Car Co.?

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. GROSSMAN. Don't you think it lowers the prestige of the committee?

Mr. FRAZIER. You are directed to answer.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question, or decline.

Mr. GROSSMAN. I am sorry. I decline to answer the question, basing myself on the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that we conclude the staff interrogation of Mr. Grossman. And I would respectfully request the prospect of a recess now so that we could relax a little bit and have lunch, and reconvene with Mr. Schemanske for a more thorough examination.

Mr. FRAZIER. Are there any questions, Mr. Velde?

Mr. VELDE. I have one, briefly.

Is this Michigan Committee for Protection of Foreign Born a part and parcel of the American Committee for Protection of Foreign Born?

Mr. SCHEMANSKE. To my knowledge, it is.

Mr. FRAZIER. Any further questions?

Mr. SCHERER. No.

Mr. FRAZIER. The committee will now be in recess until 2 p. m.

You are excused, Mr. Witness.

Mr. GROSSMAN. I am excused?

Mr. FRAZIER. You are excused.

(Whereupon, at 12 noon, the subcommittee was recessed, to be reconvened at 2 p. m., this same day.)

AFTERNOON SESSION—MONDAY, DECEMBER 3, 1956

(The subcommittee was reconvened at 2:10 p. m., pursuant to recess. Committee members present: Representatives James B. Frazier, Jr., and Gordon H. Scherer.)

Mr. FRAZIER. The committee will come to order.

Call your next witness.

Mr. ARENS. Mr. Schemanske, would you kindly resume the witness chair.

TESTIMONY OF STEPHEN J. SCHEMANSKE—Resumed

Mr. ARENS. You were sworn on this record this morning, Mr. Schemanske?

Mr. SCHEMANSKE. Yes, I was.

Mr. ARENS. Would you kindly give the committee a brief thumbnail sketch of your career in the Communist Party, with particular reference to the various posts which you held in the Communist Party as an undercover agent for the Federal Bureau of Investigation.

Mr. SCHEMANSKE. I was automatically transferred into the Communist Party from the Young Communist League in the latter part of 1943. Prior to this I held membership in the Michigan Young Communist League approximately 5 years, having joined the Young Communist League in the latter part of 1938.

For the record, I would like again to add that I did not join the Young Communist League or the Communist Party because I believed in its principles or program, but for the specific purpose of obtaining information on Communist Party activities in connection with my line of work.

My period of activity in the Michigan Young Communist League and the Communist Party totaled approximately 15 years, and was concluded in December of 1953, at which time I was requested by our Government to testify in the Smith Act trial which resulted in the conviction of six Michigan Communist Party leaders.

Mr. ARENS. Now tell us, if you please, the various clubs of the Communist Party, various fractions of the Communist Party.

(Representative Donald L. Jackson entered the hearing room at this point. Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mr. SCHEMANSKE. During my activity in the Young Communist League and the Communist Party I held various positions. My initial assignment was treasurer of my respective Young Communist League branch. Subsequently, in 1942, I was a member of the District Committee and District Council of the Young Communist League of Michigan.

In 1942-43 I was appointed as secretary-treasurer of the Young Communist League.

In October 1943, I attended a YCL convention in New York City, at which time the Young Communist League was dissolved and became known as the American Youth for Democracy.

Following a brief period of membership in the Communist Party, I was assigned as press director and executive board member of my respective Communist club, the Michigan Avenue Communist Club.

I was also represented on the West Side Section Committee of the Communist Party, which committee was representative of Communist clubs located in Detroit's west side and metropolitan area.

I was also represented on the State Press Committee of the Michigan Communist Party. And at the time of my withdrawal from the Michigan Communist Party I was a member of the District Circulation Committee of the Michigan edition of the Worker, a CP organ. In this respect my main assignment was the circulation and promotion of the Communist Party press in Detroit's west side, Dearborn, and down-river areas.

Also confidential shipment of party press and literature to out-State areas.

In connection with this assignment I was requested on numerous occasions to deliver Communist Party, Michigan Civil Rights Congress, and Michigan Committee for Protection of Foreign Born material to my various stops or stations.

The Michigan Worker Circulation Committee was not solely used for the circulation of the Michigan Worker, but was also utilized on many occasions for circulation of Communist Party and front material.

Mr. ARENS. Mr. Schemanske, during the period of your membership in the Communist Party did you have occasion to become acquainted with the activities of the Communist Party designed to subvert legislative efforts of our Government?

Mr. SCHEMANSKE. Legislation directly affecting the Communist Party is an integral part of the overall party program relating to its defense.

Activities in this respect consist completely of party defense fund campaigns and directing the resources of the entire party organization toward united front concentration, that of influencing all persons and organizations sympathetic to their cause.

Furthermore, as the situation demands, organizational activities for the formation or reactivation of front organizations are taken.

In many cases active Communist Party members hold office in control of these organizations, and are directly responsible to the Communist Party for their activities.

They also conceal the identity of their party membership from Communist Party members in these organizations.

Mr. ARENS. Now, the Communist Party, as our record in this series shows, has been vigorously opposed to the Smith Act, that being the act which makes it a crime to conspire to overthrow the Government of the United States by force and violence.

On the basis of your background and experience in the Communist Party, can you tell us did the Communist Party always oppose this act, and, if not, when did it begin its opposition to the Smith Act?

Mr. SCHEMANSKE. Not to my knowledge. As a matter of fact, I did not witness any form of opposition on the part of the Communist Party against the Smith Act until it directly affected the party organization in July 1948, when 12 national leaders of the Communist Party were indicted for violation of the Smith Act and charged with advocating the overthrow of our Government with force and violence.

I do not recall any activity or interest on the part of the Young Communist League or the Communist Party and its fronts against the Smith Act in 1941 when the national leaders of the Socialist Workers Party were indicted and convicted under the same act.

Mr. ARENS. As a member of the Communist Party at the behest of the Federal Bureau of Investigation, Mr. Schemanske, did you actually receive instructions from the Communist Party on the role that you were to play with respect to legislation which the Communist Party opposed?

Mr. SCHEMANSKE. Activities of the Communist Party with regard to legislation affecting its members and organization has been, is now, and will continue to be one of the main points on the agenda of all their meetings.

In this respect the Communist Party, directly and indirectly, through its front organizations, has issued hundreds of thousands of pieces of literature along with other means of propaganda such as speeches, passage of resolutions, petitions, et cetera, toward their defense.

The united-front work remains a key directive to all Communist Party members who are not only encouraged but directed to penetrate and gain control of legitimate organizations, especially in the labor movement, with the objective of influencing these organizations toward support and defense of the Communist Party.

I have before me a document which is entitled "Discussion Outline for the Fight Against the Mundt-Nixon Bill" and which is issued by the national educational department of the Communist Party and was made available to all Communist Party clubs and sections.

(See exhibit No. 107, appendix, pp. 7286-7289.)

Mr. ARENS. Mr. Schemanske, the Mundt-Nixon bill was enacted into law and is now known as the Internal Security Act of 1950. One section of this law deals with our immigration laws and contains provisions which the Congress felt necessary to protect the security of the United States.

This document, which you have just handed me, from the educational department of the Communist Party, explains the opposition, according to the outline here, of the Communist Party to the Internal Security Act, the Mundt-Nixon bill.

What action, to your certain knowledge as an undercover agent in the Communist Party, was taken within the Communist conspiracy itself to protect the Communist Party members who would be subject to legal action as a result of the provisions of the Mundt-Nixon bill subsequently enacted into the Internal Security Act?

Do I make myself clear?

Mr. SCHEMANSKE. You want to know just what action was taken?

Mr. ARENS. Yes. What action was taken by the Communist conspiracy?

Mr. SCHEMANSKE. Following the indictment of the Communist Party leaders under the Smith Act and enactment of the Mundt-Nixon bill into law, security measures were more strictly enforced within the entire Michigan Communist Party organizations.

Communist Party clubs were reorganized into small groups of not more than 6 to 8 members for a more effective and secret method of operation.

Party membership records and lists were destroyed.

Communist group leaders were instructed to memorize names and addresses of members, and keep records by code numbers.

Mailing of meeting notices, meetings in known halls, and issuance of party membership books were eliminated.

Persons whose citizenship status was jeopardized through their party membership were requested to drop their direct party or open activity and activate themselves in a party front organization such as the Michigan Committee for Protection of Foreign Born and Michigan Civil Rights Congress.

Furthermore, they were requested to join and become members of progressive as well as right and labor organizations, the purpose of which was to seek support from these organizations in the event, as previously mentioned, their citizenship status would be jeopardized as the result of legislation affecting them.

Mr. ARENS. Did the Communist Party adopt, as a program of action, the necessity of supporting outside organizations?

Mr. SCHEMANSKE. Mainly organizations sympathetic to and controlled by the Communist Party, as can be substantiated in many of the party's publications and periodicals, and also special or confidential releases to Communist Party clubs and sections.

I have here documents which I received through my respective Communist Party section. One document, issued by the Michigan State Organization Department, Communist Party, clearly states, and I quote:

Every Communist has a transcendent responsibility to support, loyally and tirelessly, the activities of the Civil Rights Congress. This means active membership in the CRC; this means enlisting your friends and neighbors into the defense organization. This means raising funds for it.

I would like to submit this document.

Mr. ARENS. Yes.

Pursuant to the general order of the chairman, that will be incorporated in the appendix of the record and appropriately marked.

(Document marked "Exhibit No. 322," see appendix, pp. 7659-7661.)

Mr. SCHEMANSKE. The other document which I have is a plan of work adopted at a conference of Communist clubs in the Michigan 16th Congressional District. This document, in part, directs the party membership to activate themselves in party front organizations such as the Michigan CRC and the Michigan Committee for Protection of Foreign Born.

In this respect I would ask permission to read an excerpt of this document entitled "Under Civil Rights."

Mr. ARENS. Please do.

Mr. SCHEMANSKE (reading):

The 16th Congressional District is made up of many large nationalities. A great percentage of these people are foreign born.

There have been several arrests and many threats of deportation against militant, progressive elements among these nationality groups and foreign born.

This is part of a national pattern of terrorization and intimidation conducted by the Government and reactionary groups. This policy of the Government flows from the general policy of American imperialism, i. e., of preparing for a war of world conquest and domination. The outlook is for even sharper and more frequent attacks against the foreign born.

Therefore, a more effective relationship must be established between the National Group Organizations, the Michigan Committee for the Protection of Foreign Born and the Civil Rights Congress.

The growing influx of so-called "displaced persons" and their organized participation in Fascist-like demonstrations against progressive organizations of foreign born; and signs of Tito influences penetrating liberal and progressive nationality groups, make it necessary for the incoming section committee to work out with our national group comrades such activities as will strengthen our fight against these Fascist sources.

Counsel, I would like to submit this document.

Mr. ARENS. Yes, that will be received and incorporated in the appendix pursuant to the general order of the chairman.

(Document marked "Exhibit No. 323," see appendix, pp. 7662-7664.)

I observe in the recitation of the language of this document from the Communist Party reference to certain individuals as "militant" and "progressive."

What does that mean in Communist Party jargon?

Mr. SCHEMANSKE. In Communist Party terminology the reference in this case is to an individual who is a member of the Communist Party or closely sympathetic to the Communist Party.

Mr. ARENS. In other words, when a Communist—when you were in the Communist conspiracy did you ascertain as a certainty that the terms "militant" and "progressive" used in connection with the activities of the party were applicable to a Communist himself?

Mr. SCHEMANSKE. That is correct.

Mr. ARENS. Now, Mr. Schemanske, did you attend any Communist Party meetings which took positive action in support of the Michigan Committee for Protection of Foreign Born or the Michigan Civil Rights Congress?

Mr. SCHEMANSKE. Yes.

I participated at a conference called for the purpose of establishing a West Side section of the Michigan Communist Party, which took place in April of 1950 in the Fort Dearborn section headquarters of the Communist Party, located at 5642 Michigan Avenue in the city of Detroit.

Saul Grossman, Executive Secretary of the Michigan Committee for Protection of Foreign Born, announced and distributed tickets relative to a cultural festival sponsored jointly by the Michigan Committee for Protection of Foreign Born and Michigan Civil Rights Congress. Grossman stated that 50 percent of the proceeds realized from this affair will be turned over to the Communist Party for the defense of 11 national convicted Communist leaders. The other 50 percent will be used to finance activities of the Civil Rights Congress and the Michigan Committee for Protection of Foreign Born in their campaign against deportations.

Mr. ARENS. After the Congress enacted the Immigration and Nationality Act in 1952, the so-called Walter-McCarran Act, did the Communist Party, to your certain knowledge, issue instructions to its members with respect to actions which they were to take in regard to this legislation?

Mr. SCHEMANSKE. Yes. The defense of the Communist Party against legislation directly affecting it was always on the agenda on practically all Communist meetings. Communist Party members were instructed to vigorously campaign against anti-Communist legislation such as the Smith Act and Walter-McCarran Act and as to passage of resolutions in their respective trade-union locals, securing petitions, leaflet circulations and influencing of all organizations with whom personal contact was maintained.

In conjunction with this activity, the Communist Party issued various bulletins to its membership which served as a guide to action.

Mr. ARENS. Mr. Schemanske, in the course of the record which we have been making here in this series of hearings over the last several weeks there have been identified, I would surmise, about a thousand organizations already in this country that have been created by the Communist conspiracy for the avowed purpose of destroying the Immigration and Nationality Act, the Smith Act, the Internal Security Act, the Communist Control Act of 1955 and other similar legislation.

Were any such organizations, to your certain knowledge, created in the State of Michigan?

Mr. SCHEMANSKE. Yes.

Mr. ARENS. Could you tell us about them?

Mr. SCHEMANSKE. I have here a document which is self-explanatory. This document is titled "Emphasis!" and is a bulletin of the educational department, Michigan State Committee, Communist Party, U.S.A. It states here in this document that by the April 1950 conference of the Committee for Protection of Foreign Born some 80 organizations have been formed.

(Document marked "Exhibit No. 324," see appendix, pp. 7665-7669.)

Mr. ARENS. Those are 80 organizations within the State of Michigan formed for the purpose of destroying what law?

Mr. SCHEMANSKE. The Walter-McCarran Act.

Mr. ARENS. That is just on the one act?

Mr. SCHEMANSKE. That is right.

Mr. ARENS. That does not encompass organizations formed for the purpose of destroying other acts. Is that correct?

Mr. SCHEMANSKE. Not to my knowledge.

Mr. ARENS. How many organizations does that document indicate were formed in the State of Michigan for the purpose of undermining the one law, the McCarran-Walter Act—formed by the Communist Party—I should say?

Mr. SCHEMANSKE. It says 80 organizations.

Mr. ARENS. Can you, on the basis of your personal experience in the Communist Party as an undercover agent for the Federal Bureau of Investigation, identify some of these organizations which were created by the conspiracy?

Mr. SCHEMANSKE. Various committees and organizations were being formed in defense of Communist Party members. Some of these organizations were brought out this morning at this morning's hearings for the defense of certain people. The majority of these people, to my knowledge, were members of the Communist Party.

I also have here a document on a letterhead of the Michigan Committee for Protection of Foreign Born, which is signed by Emmett.

McCormick, M-c-C-o-r-m-i-c-k, chairman, for the Trade Union Committee of the Michigan Committee for Protection of Foreign Born. (Document marked "Exhibit No. 325," see appendix, p. 7670.)

Mr. ARENS. That would be a subsidiary organization to the Michigan Committee for Protection of Foreign Born?

Mr. SCHEMANSKE. Of the Michigan Committee for Protection of Foreign Born.

As the situation demanded, organizations were formed to meet that specific situation.

Mr. ARENS. Was the Communist Party of Michigan, during your experience in that apparatus, organized into nationality groups?

Mr. SCHEMANSKE. Yes, it was.

Mr. ARENS. Were the nationality groups important to the financial structure of the Communist Party of Michigan?

Mr. SCHEMANSKE. Yes, they were regarded as one of the most important and best fund-raising groups within the Communist Party.

I submit documents dealing with the raising of funds by the Communist Party, including nationality groups, which I have here.

Mr. ARENS. I have in my hand now, Mr. Schemanske, a number of documents which have been already identified on this record pertaining to fund drives of the Michigan Committee for Protection of Foreign Born, in which very substantial amounts are set up as quotas for each of about, I would estimate, 3 or 4 dozen of the nationality groups in Michigan. And the aggregate amounts, according to these documents, which were being solicited were in the twenty thousands of dollars.

Could you kindly look at those documents as Mr. Appell hands them to you and observe there the quotas assigned for nationality groups by the breakdown of Armenian-Americans, Greek-Americans, Italian-Americans, and the like, and tell this committee what was the relationship between these some three-dozen nationality group organizations and the Michigan Committee for Protection of Foreign Born.

(Documents marked "Exhibits Nos. 326 and 327a-h, see appendix, pp. 7671-7680.)

(The witness examines documents.)

Mr. SCHEMANSKE. To my knowledge, the Communist Party had members within these nationality groups assigned to work with the Michigan Committee for Protection of Foreign Born. I believe that these documents provide interesting proof of this point. [Hands documents to counsel.]

Mr. ARENS. In other words, these were Communists who had penetrated the nationality groups as a liaison between such groups and the Michigan Committee for Protection of Foreign Born?

Mr. SCHEMANSKE. And the Michigan Committee for Protection of Foreign Born.

Mr. ARENS. Were these groups, these nationality groups, created by the conspiratorial apparatus to support the Michigan Committee for Protection of Foreign Born as set forth in the Communist Party document which you have previously exhibited to the committee?

Mr. SCHEMANSKE. To my knowledge, the 80 organizations listed by the Communist Party were never openly identified. On the basis of my membership in the Communist Party, it is evident that this list would represent a part of these organizations.

Mr. ARENS. You testified as to a Nationality Commission of the Communist Party of Michigan.

While you were an undercover agent for the Federal Bureau of Investigation did you personally attend meetings of this commission?

Mr. SCHEMANSKE. I attended a meeting of this commission in November of 1923—1953, I should say—approximately 1 month prior to testifying for the Government in the Michigan Smith Act trial.

Mr. ARENS. What was the purpose of the meeting of the Nationality Commission of the Communist Party, and who participated in its discussions?

Mr. SCHEMANSKE. There were strict security measures taken at this meeting, in which no one was allowed to leave the meeting hall during approximately a 4- to 5-hour period of this meeting.

The purpose was to elect a Language Commission of the Michigan Communist Party, and also to discuss and hear a report by Harry Fanaru relative to the main report delivered at the national conference of the Communist Party, USA, contained in a booklet entitled "New Opportunities in the Fight for Peace and Democracy."

Mr. ARENS. Is that a Communist Party publication?

Mr. SCHEMANSKE. That is correct.

Mr. ARENS. Do you care to transmit that to the Committee on Un-American Activities for incorporation in the record?

Mr. SCHEMANSKE. I would like to draw the counsel's attention to pages 52, 53, and 54 in this booklet.

(Document marked "Exhibit No. 328," see appendix, pp. 7681-7684.)

Mr. ARENS. Could you summarize the subject matter?

Mr. SCHEMANSKE. It deals with the attacks against the foreign born and for the repeal of the Walter-McCarran Act.

Mr. ARENS. Stanley Nowak, according to documents which have already been identified in this record, was a former chairman and vice chairman of the American Committee for Protection of Foreign Born.

Did you, while you were an undercover agent for the Federal Bureau of Investigation, know Stanley Nowak as a member of the Communist Party?

Mr. SCHEMANSKE. Yes, sir.

Mr. ARENS. And have you attended Communist Party meetings with him?

Mr. SCHEMANSKE. Stanley Nowak was present at this language commission meeting about which I testified. And his presence there would signify him as being a member of the Communist Party because the meeting was solely limited to members of the Communist Party.

In addition to that, I recall Stanley Nowak speaking at several meetings of my Young Communist League branch on the west side.

Mr. ARENS. Now, according to documents which have been identified in this record, the Rev. Charles Hill has been chairman of the Michigan Committee for Protection of Foreign Born.

Mr. Appell is now going to display to you a document entitled "Plan of Work" covering a period August 1 to November 8, 1949. Would you kindly look at that document and explain to the committee, Mr. Schemanske, what this document is and whether the Rev. Charles Hill, mentioned in that document—I believe on page 2—is the same Charles Hill who at one time was a leader and officer of the Michigan Committee for Protection of Foreign Born?

(Document marked "Exhibit No. 329," see appendix, pp. 7685-7688.)

Mr. SCHEMANSKE. Yes.

This is a plan of work outlined by the Communist Party in Michigan, and it states here, with reference to page 2, that all efforts must be made to mobilize to elect Reverend Hill to the city council. And this is the same Rev. Charles Hill that you have reference to.

Mr. ARENS. In connection with this series of hearings, the documents thus far identified show that one of the official leaders of the Michigan Committee for Protection of Foreign Born is one Dolores Storich, D-o-l-o-r-e-s S-t-o-r-i-c-h.

During the course of your experience in the Communist Party as an undercover agent for the Federal Bureau of Investigation did you know Dolores Storich as a member of the Communist Party?

Mr. SCHEMANSKE. Yes; I have. I knew Dolores Storich in 1939 as membership director of the Wonders Branch, Young Communist League.

In 1944 she was a recording secretary of the Northwest Communist Club, and in 1949 she was an organizer for the Dave White section of the Michigan Communist Party.

In 1950 she was present at a Michigan State Communist Party conference at which I participated. At that time she was also known as Dolores Leutchman, L-e-u-t-c-h-m-a-n.

Mr. ARENS. In August of 1956, according to the documents which have been identified and incorporated into this record, one Peggy Wellman executed certain official documents which have been incorporated in this record as president of the Michigan Committee for Protection of Foreign Born. Did you know her to be a member of the Communist Party?

Mr. SCHEMANSKE. Yes.

I participated at numerous meetings, closed meetings of the Communist Party, at which Peggy Wellman was present.

Peggy Wellman is also the wife of Saul Wellman, formerly acting State chairman of the Michigan Communist Party.

Mr. ARENS. According to the record this morning, there was a youth committee as a subordinate entity of the Michigan Committee for Protection of Foreign Born that was established, according to these records, with the director being Margaret Fishman. Did you know her to be a member of the Communist Party?

Mr. SCHEMANSKE. I attended educational classes with Margaret Fishman, sponsored by the Communist Michigan School of Social Science. And I also attended meetings of the Labor Youth League in which she actively participated.

Mr. ARENS. Mr. Appell is going to hand you a photostatic copy of one of the documents which has been identified here just for the purpose of refreshing your recollection of the document. It is the document of the Michigan Committee for the Protection of Foreign Born of October 17, 1951, and it is a Trade Union Committee of the Michigan Committee for Protection of Foreign Born, and it has the signature of Emmett McCormick, E-m-m-e-t-t M-c-C-o-r-m-i-c-k, as chairman. Did you know him to be a member of the Communist Party?

Mr. SCHEMANSKE. Yes. He was known to me as a member of the Communist Party.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions?

Mr. JACKSON. Yes, Mr. Chairman.

One question, Mr. Schemanske.

Have you, to your own personal knowledge, ever known of an instance in which the Committee for Protection of Foreign Born, either the Michigan Committee or the American Committee for Protection of Foreign Born, has ever attempted to forestall the deportation of an alien who was opposed to the goals and objectives of the Communist Party?

Mr. SCHEMANSKE. No, I do not.

During my entire period of membership in the party no such incident ever came to my attention.

Mr. JACKSON. No foreign-born Fascist was ever given the protection of the Committee for Protection of Foreign Born?

Mr. SCHEMANSKE. No, Mr. Jackson.

Mr. JACKSON. It would be necessary to be something more than foreign-born. You had also to support the objectives of the Communist Party in order to receive the assistance of that organization?

Mr. SCHEMANSKE. That is correct.

(Representative Harold H. Velde entered the hearing room at this point.)

Mr. SCHERER. Following through with what my colleague has indicated, do you know of any case where the committee came to the defense of an individual who had been charged with a crime or convicted of a crime that was about to be deported, such as for violation of the Narcotics Act?

Mr. SCHEMANSKE. No, Honorable Scherer. I do not recall any such incident on the part of the party organization in Michigan.

Mr. SCHERER. In fact, the only time that the American Committee for Protection of Foreign Born came to the defense of an individual in order to prevent his deportation was when that individual was a member of the Communist conspiracy?

Mr. SCHEMANSKE. Yes.

If he was a member of the Communist conspiracy or sympathetic or closely associated with the Communist Party.

Mr. JACKSON. The yardstick was his political beliefs, not the fact that he was foreign born and under order of deportation?

Mr. SCHEMANSKE. That is correct.

Mr. JACKSON. Thank you.

Mr. FRAZIER. Are you through?

Mr. ARENS. I respectfully suggest that would conclude the staff interrogation of this witness.

Mr. FRAZIER. Mr. Velde?

Mr. VELDE. No questions.

Mr. FRAZIER. You are dismissed. And thank you very much for your very helpful testimony.

Mr. ARENS. Peggy Wellman, please.

Kindly come forward.

Please remain standing while the chairman administers an oath to you.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony about to be given in this hearing is to be the truth and the whole truth, so help you God?

Mrs. WELLMAN. I do.

TESTIMONY OF MRS. MIGNON PEGGY WELLMAN, ACCOMPANIED
BY COUNSEL, GEORGE W. CROCKETT, JR.

Mr. ARENS. Kindly identify yourself, ma'am, by name, residence, and occupation.

Mrs. WELLMAN. My name is Mrs. Mignon Peggy Wellman. I live at 3000 Clairmount, Detroit 6. M-i-g-n-o-n. And the other is P-e-g-g-y. And the other is W-e-l-l-m-a-n. And Clairmount is spelled C-l-a-i-r-m-o-u-n-t. That is Detroit 6, Mich. I am a housewife at present. Before I continue I would like to submit——

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. WELLMAN. I have the subpoena here, and before I testify——

Mr. ARENS. Are you appearing pursuant to that subpoena?

Mrs. WELLMAN. Obviously. Here is the subpoena.

Mr. ARENS. And you are represented by counsel?

Mrs. WELLMAN. Yes; I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. CROCKETT. George W. Crockett, Jr., attorney, 3220 Cadillac Tower, Detroit, Mich.

Mr. ARENS. For purpose of identification, your husband's name is what, please?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

I think the rules of the committee state that I don't have to testify against my husband.

Mr. ARENS. Now, I understood you to say a few moments ago that your occupation is housewife.

Mrs. WELLMAN. That is right.

Mr. ARENS. And have you in the course of the last year or so had any other occupation?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. When did you last have some other occupation beside the occupation of housewife?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. Do you presently have some other occupation?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that, too.

Mr. ARENS. I beg your pardon?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline again.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully the occupation or occupations which you have had

in the last year or so you would be supplying information which could be used against you in criminal proceedings?

(The witness confers with her counsel.)

Mrs. WELLMAN. I have answered that question already by stating that I will rely on the fifth amendment.

Mr. SCHERER. I ask that you direct the witness to answer the question because counsel has the right to inquire whether she is relying on the fifth amendment in good faith.

Under the decisions of the courts, Mr. Chairman, she must answer that question either affirmatively or negatively.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. Mr. Chairman, you may assume that any time I say that I am relying on the fifth amendment I am doing it in good faith.

Mr. JACKSON. We may assume it, but the Supreme Court is apt not to. I suggest that you make it perfectly clear in all of your declarations that you are relying on it.

(The witness confers with her counsel.)

Mrs. WELLMAN. I understand the Supreme Court has said that I must assume that.

Mr. JACKSON. You may assume it. It isn't necessary for the committee or the courts or anyone else to assume it. The assumption is up to another body other than this or other bodies than yourself to make the assumption. All we can do is ask the questions, questions which we properly can ask you. You may then decline to answer on whatever grounds you choose. The decision as to whether or not that was in good faith is a legal determination to be made elsewhere.

(The witness confers with her counsel.)

Mr. ARENS. I am a little uncertain as to the status of this record. Is there an order out?

Mr. FRAZIER. I directed her to answer, and I believe she has not answered.

(The witness confers with her counsel.)

Mrs. WELLMAN. I have already stated that I am relying on the fifth amendment.

Mr. FRAZIER. All right.

Mr. ARENS. Now, Mrs. Wellman, Mr. Appell is going to lay before you two documents which have been already identified in this record. One is the application for a special beer and wine license signed by Mignon, M-i-g-n-o-n, Wellman as president of the Michigan Committee for Protection of Foreign Born, and signed also by Saul Grossman as secretary of the Michigan Committee for Protection of Foreign Born. The other is the bond application.

(See exhibit 302a, b, appendix, pp. 7625, 7626.)

Kindly look at those documents which Mr. Appell is now displaying to you, and see if you cannot help this committee of the Government of the United States and tell whether or not that is a true and correct reproduction of your signature as president of the Michigan Committee for Protection of Foreign Born.

(The witness confers with her counsel.)

Mrs. WELLMAN. Before I continue I would like to—

Mr. ARENS. Would you just answer that question, please, and continue on any prepared statement that you have?

Mrs. WELLMAN. I would like to know if my prepared statement could be marked.

Mr. ARENS. Answer that question, please, and then we will continue with any prepared statement.

We will have a question first and answer on the prepared statement.

(The witness confers with her counsel.)

Mrs. WELLMAN. May I have a ruling from the committee chairman as to whether or not my statement may be introduced and identified?

Mr. ARENS. Kindly answer the question outstanding first, madam, so we know who you are here that is going to make this prepared statement.

Is that your signature on the document there as president of the Michigan Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. Well, it seems there is a little confusion here. I asked the committee chairman for a ruling on my statement that I want to submit.

Mr. ARENS. Would you kindly answer the question outstanding?

Is that your signature on that document as president of the Michigan Committee for Protection of Foreign Born?

Mr. JACKSON. Mr. Chairman, I ask that counsel be sustained and an answer to the question be forthcoming.

Mr. FRAZIER. I have already directed you to answer the question.

(The witness confers with her counsel.)

Mr. SCHERER. She has had time. Let's go to the next one.

Mr. ARENS. We will go to the next question.

Where were you born?

This record will show her declination to answer the outstanding question.

Mr. CROCKETT. She has not declined.

Mr. ARENS. Then let her answer.

Mrs. WELLMAN. Just a minute. Stop trying to browbeat me.

Mr. ARENS. I am not trying to browbeat you. Please answer the question.

Is that your signature on that document?

Mrs. WELLMAN. I refuse to answer on the grounds of the fifth amendment.

Now, may I have a ruling on my request?

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully under oath whether or not that is your signature on that document as president of the Michigan Committee for Protection of Foreign Born you would be supplying information that might be used against you in a criminal proceeding?

Mrs. WELLMAN. Mr. Chairman, are you running the hearing?

May I have a ruling?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the outstanding question.

Mr. FRAZIER. I direct you to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer, relying on the fifth amendment.

Mr. ARENS. With reference to that prepared statement——

Mr. FRAZIER. Do you now offer the statement?

Mr. ARENS. I was just going to ask, with reference to that prepared statement, please tell the committee what Communists participated in the preparation of that statement which you have before you.

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer it.

May I read the statement now?

Mr. ARENS. Did some person——

Mr. VELDE. Mr. Chairman?

Mr. FRAZIER. Mr. Velde.

Mr. VELDE. I move that we accept the statement for consideration at this time, and get over this business of the statement. We know what it is. There is no question about that. It is a lot of Communist rabble. But I move we accept the statement for consideration.

Mr. FRAZIER. We will examine it.

Mr. JACKSON. I object, Mr. Chairman.

Mr. ARENS. Did some person——

Mr. JACKSON. Just a moment, Mr. Counsel.

The rules of procedure of the committee, as set forth in the rules of procedure, prescribe that any prepared statement of this sort be submitted to the committee 24 hours in advance of the appearance of the witness. For that reason I shall object to any consideration of any prepared statement of this sort from an uncooperative witness.

If the witness is prepared to cooperate, if she is prepared to give the committee the benefit of any knowledge she may have of the operations or the machinations of this organization, then I think perhaps Mr.——

Mr. VELDE. Let me ask a question of the witness before I withdraw my motion.

Have you submitted your statement to the committee or to the committee counsel 24 hours prior to this hearing?

(The witness confers with her counsel.)

Mrs. WELLMAN. I am not aware of any 24-hour notice ruling or ruling on notice, and I have not submitted it as yet. I am trying to submit it now.

Mr. FRAZIER. You did not have a copy, did you?

Mr. ARENS. No, Mr. Chairman.

Is there a question outstanding on this record now?

Mr. JACKSON. We are considering this.

Mr. VELDE. I made a motion to consider the statement. Mr. Jackson objected.

Mr. JACKSON. It would appear the only copy of the rules in the room is in possession of committee counsel.

Could we borrow your copy of the rules.

Mr. CROCKETT. I am not committee counsel.

Mr. JACKSON. I beg your pardon.

Counsel for the witness.

(The witness confers with her counsel.)

(The committee and committee counsel confer.)

Mr. VELDE. When were you served with the copy of the subpoena?

(The witness confers with her counsel.)

Mrs. WELLMAN. It was Tuesday or Wednesday of last week.

Mr. VELDE. It was November 28, 1956. Is that correct?

Mrs. WELLMAN. It might be.

Mr. VELDE. At the same time you were served you were furnished a copy of the rules of the committee, were you not?

Mrs. WELLMAN. Yes.

Mr. VELDE. And you were then familiar with the rules that require you to file a copy of any statement a reasonable time prior to the date you were subpoenaed for the committee hearing?

Mrs. WELLMAN. Yes.

Mr. VELDE. And you have filed no copy of your statement here with the committee?

Mrs. WELLMAN. No.

Mr. VELDE. I will withdraw my motion, Mr. Chairman.

Mrs. WELLMAN. Mr. Chairman, I am just——

Mr. FRAZIER. Wait just a moment.

Mr. SCHERER. I see no reason why we can't accept the statement for consideration and then determine later on if we want to put it in the record.

We don't have to put it in the record because there has been no compliance with the rules.

I think if you accept the statement and consider——

Mrs. WELLMAN. Mr. Chairman.

Mr. FRAZIER. Just a minute.

Mr. JACKSON. I still object.

We have 15 or 20 witnesses waiting, each one of them with a prepared speech in their pockets. If we set a precedent at this time for accepting statements we are going to have them from now on.

I shall continue in my objection.

Mr. VELDE. Mr. Jackson, I made my motion just to get rid of the statement. We all know what the statements are. They constantly refer to the statement and ask us if they could read it.

Mr. FRAZIER. All right.

You are in favor of accepting Mr. Scherer's motion?

Mr. VELDE. Aye.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. No.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. Aye.

Mr. FRAZIER. The Chair votes "Aye."

It will be accepted.

Mr. JACKSON. For consideration by the committee.

Mr. ARENS. Now, ma'am, will you kindly look over your right shoulder there.

Mr. Schemanske, will you please stand in the back of the hearing room.

(The witness confers with her counsel.)

(The witness Schemanske arose.)

Mr. ARENS. Ma'am, would you kindly look over your right shoulder at the gentleman standing there in the front row of the hearing room?

(The witness confers with her counsel.)

Mrs. WELLMAN. I have no desire to look at him. I just ate my lunch.

Mr. ARENS. Now, ma'am, that gentleman who is standing there took an oath this morning. In the course of his testimony, he said that while he was an undercover agent in the Communist Party for the Federal Bureau of Investigation he knew you as a Communist.

Was he lying or was he telling the truth?

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Stephen J. Schemanske?

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. I direct you to answer the question.

Mrs. WELLMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Louise Pettibone Smith?

Mrs. WELLMAN. I refuse to answer.

Mr. ARENS. Now, Louise Pettibone Smith took an oath and testified before the Subversive Activities Control Board on December 22, 1955, with respect to a meeting which she had while she was with the American Committee for Protection of Foreign Born and making a tour.

In the course of that testimony she said that she met with you in connection with the Michigan Committee for Protection of Foreign Born.

Was Louise Pettibone Smith lying or was she telling the truth?

(The witness confers with her counsel.)

(Committee members present: Representatives Frazier, Velde, Jackson, and Scherer.)

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Where were you born?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. I direct you to answer the question.

Mrs. WELLMAN. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully where you were born you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer that.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Now, are you a citizen of the United States?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. ARENS. Have you ever been naturalized as a citizen—

Mr. JACKSON. Just a moment.

I am unwilling to accept that as an answer in good faith, whether or not she is a citizen of the United States, and I ask a direction be issued, Mr. Chairman.

Mr. FRAZIER. I direct you to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline, based on the fifth amendment.

Mr. SCHERER. Do you mean to say that it might tend to lead to a criminal prosecution of you if you admitted that you were a citizen of the United States?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to comment on that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that she be ordered and directed to answer the question.

Mr. FRAZIER. I direct you to answer the question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. SCHERER. Were you born in the United States?

(The witness confers with her counsel.)

Mrs. WELLMAN. I answered that by declining to answer.

Mr. SCHERER. I ask a direction.

Mrs. WELLMAN. I was directed to answer.

Mr. SCHERER. Let's have a repetition.

I ask that you direct—

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I answer it again, based on the fifth amendment.

Mr. ARENS. Are we ready to proceed?

Mr. FRAZIER. Yes.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as and when the witness signs the voucher pursuant to which she will be given her per diem allowance and transportation expense to this hearing, that that part of the voucher containing her signature be incorporated in the body of this record, and I say the purpose of that is so we can make a comparison of that signature with other signatures.

Mr. FRAZIER. It is so ordered.

(Document marked "Exhibit No. 330a," see appendix, p. 7689.)

Mr. ARENS. Have you ever voted as a citizen of the United States?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. SCHERER. There is no invocation of any amendment to that answer.

I ask you direct the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. FRAZIER. Proceed, Mr. Counsel.

Mr. ARENS. Louise Pettibone Smith testified that while she was with the American Committee for Protection of Foreign Born, on a tour, she went to Detroit and took you, Mrs. Wellman "to meet various ministers and people of that sort with whom she had made appointments for me."

That is a quotation of the sworn testimony of Louise Pettibone Smith before the Subversive Activities Control Board.

Was Louise Pettibone Smith lying when she made that statement, or was she telling the truth?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered to answer the question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. I lay before you a photostatic copy of a letter on the letterhead of the Michigan Committee for Protection of Foreign Born, signed by Peggy Wellman, addressed to "Dear Friend". It is all about a fellow fighter for peace, asking for a contribution.

Please look at that letter and see if you won't be good enough to identify the signature there and authenticate the signature appearing there as one of your own.

(Document marked "Exhibit No. 330b," see appendix, p. 7690.)

(The witness examines document, and confers with her counsel.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. I lay before you still another document of the Michigan Committee for Protection of Foreign Born announcing a gala banquet Saturday, "Repeal the Walter-McCarran Act!" It advertises, I see, some, "Noted Speakers."

All this is in reference to 45 men and women threatened with deportation or loss of citizenship under the provisions of the Walter-McCarran law.

Mr. Saul Grossman will also be honored.

This signed sincerely yours, Mrs. Peggy Wellman, for the committee.

Kindly look at that document and see if you won't be good enough to verify the authenticity of the signature.

(Document marked "Exhibit No. 331a, b," see appendix, pp. 7691, 7692.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Do you know Saul Grossman, the witness who preceded you by one other witness on the witness stand this morning? (The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. He is one of your coofficials on the Michigan Committee for Protection of Foreign Born, is he not?

Mrs. WELLMAN. I decline.

Mr. ARENS. Now I lay before you still another document, "Save This American Family."

It is all about Mrs. Peggy Wellman, who faces deportation.

"Her husband, Saul," according to this document "is one of the five men in jail after their recent conviction under the Smith Act."

"Mrs. Wellman," according to this document "faces deportation because of her labor and progressive activities over many years."

And it is all because, this document says, of the infamous Walter-McCarran Act.

Curiously enough, the document itself is signed by Peggy Wellman of the Michigan Committee for Protection of Foreign Born.

Did you prepare this document calling on everyone who receives it to protest the Walter-McCarran Act and to defend yourself against deportation just because you happened to be for labor and progressive activities over many years?

Please look at that document and tell this committee on Un-American Activities if you can't identify that for us.

It has already been identified in this record. See if you can't help authenticate the veracity of that document.

(Document marked "Exhibit No. 332," see appendix, p. 7693.)

(The witness examines the document and confers with her counsel.)

Mrs. WELLMAN. My name is Peggy Wellman. I face deportation under the Walter-McCarran law, but I decline to identify that document for you.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered and directed to answer the question.

Mrs. WELLMAN. I decline upon the grounds of the fifth amendment.

Mr. ARENS. Do you face deportation under the Walter-McCarran Act solely and exclusively as set forth in this exhibit because of your labor and progressive activities over many years? Is that the sole and exclusive ground upon which you face deportation?

(The witness confers with her counsel.)

Mrs. WELLMAN. I have already declined to identify that document.

Mr. ARENS. Just tell us whether or not the sole grounds upon which deportation proceedings are pending against you is because you are progressive and because of your prolabor record over many years.

(The witness confers with her counsel.)

Mr. ARENS. We think there might be some other little element there that is missing in the description of your case.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to comment on that document.

Mr. ARENS. Let's don't talk about the document then. Let's just talk about this situation alluded to in the document.

Mr. SCHERER. Just a minute.

I think there should now be a direction that she answer the question whether or not the sole reasons that she is under deportation order are the reasons set forth in the document. I think she should be directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer, based on the fifth amendment.

Mr. SCHERER. Mr. Chairman, may I ask the witness a few questions?

Mr. FRAZIER. Proceed.

Mr. SCHERER. Now, Witness, you just submitted a statement for the consideration of the committee, and asked that it be made a part of the record in this case. Did you not?

Mrs. WELLMAN. Yes, I did.

Mr. SCHERER. And you signed that statement?

(The witness confers with her counsel.)

Mrs. WELLMAN. Yes.

Mr. SCHERER. Are the statements and allegations set forth in that statement true?

(The witness confers with her counsel.)

Mrs. WELLMAN. So far as I know and to my knowledge, everything in there is true.

Mr. SCHERER. I move that the statement submitted by the witness be made a part of the record as she has requested.

Mr. FRAZIER. Under the rules, we will take a vote. All in favor—

Mr. VELDE. Before I voted—I have not thoroughly examined the statement.

(The committee confers.)

Mr. JACKSON. May I ask a question of counsel.

If this is admitted into the record, is this also under the compulsion of the oath which the witness took at the outset?

Mr. ARENS. I would suggest not, Mr. Chairman.

Mr. SCHERER. Just a minute.

She has already said that what she said in here is true. She is under oath when she says it is true.

Mr. ARENS. That would be the only basis upon which it would be.

Mr. SCHERER. That is right. That is sufficient.

I think I know what I am doing.

Mr. ARENS. I don't mean to engage in a colloquy here except to say, that the document which she submitted is not a document which was attested to. Mr. Scherer has asked her whether or not the statements are true. She therefore is under oath with reference to the facts set forth in the document.

Mr. SCHERER. That is right. That is all I wanted to know.

(The committee and committee counsel confer.)

Mr. VELDE. Before you take a vote, may I ask a question or two?

Mr. FRAZIER. Yes.

Mr. VELDE. In response to a question of Mr. Scherer, you have admitted or, rather, stated that everything contained in this statement is true. Is that correct?

(The witness confers with her counsel.)

Mr. SCHERER. Certainly the witness wouldn't submit a false statement to this committee.

(The witness confers with her counsel.)

Mrs. WELLMAN. To my knowledge, all that is in here is true.

Mr. VELDE. And may I read just part of this:

I have been ordered deported to Canada under the provisions of the Walter-McCarran law despite having lived here all of my life.

So you were born in the United States of America?

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer that question.

Mr. VELDE. Yet you admit that the statement that you have submitted to us is true?

(The witness confers with her counsel.)

Mrs. WELLMAN. So far as I know.

Mr. VELDE. Mr. Chairman, I vote aye in admitting this into the record.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. Aye.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. Aye.

Mr. FRAZIER. The Chair votes aye.

It will be admitted and made a part of the record.

(The statement referred to follows:)

STATEMENT TO THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

CHICAGO, December 3, 1956.

I am doing what any normal wife and mother would do—fighting for the right to stay with my family.

I have been ordered deported to Canada under the provisions of the Walter-McCarran law despite having lived here all of my life. The Immigration Department alleges that I was brought to this country as an infant in my mother's arms. My husband is appealing a 4-year and 8 months' sentence under the Smith Act.

My two children, David, 16, and Vickie, 14, are American born and are making outstanding records for themselves in school, despite the constant harassment of their family.

I am leaving no stones unturned in my efforts to remain in this country with my family. Everything I am doing is legal and aboveboard. I have as much right to remain in this country as any other American. I am a product of American schools and life.

The horror and degradation of the Walter-McCarran law can only be appreciated by a person who is caught up in its web. In addition to facing the imminent threat of being whisked from my family, home and friends, I am subjected to daily indignities and surveillance. Even though on \$2,000 cash bond, I am still forced to report monthly to the Immigration Service like a common criminal and submit to degrading questioning about my personal behavior and associations.

I am doing everything I can to bring about the repeal or revision of the Walter-McCarran (sic) law. In doing this, I am joined by millions of other Americans who, while disagreeing with my views on many questions, share my conviction that the law is inhuman, unjust and undemocratic.

I do not intend to permit Representative Walter to put me into a straight-jacket (sic) so that the destruction of my family can be carried out without protest from me. I appeal to the generous instincts of every father and mother in America to support my fight to stay united with my family.

Mrs. PEGGY MIGNON WELLMAN.

Mr. SCHERER. In the statement you tell us you are under an order for deportation.

For what?

(The witness confers with her counsel.)

Mr. SCHERER. Why?

Mrs. WELLMAN. I have been ordered deported under the provisions of the Walter-McCarran Act.

Mr. SCHERER. Why? What provisions?

Isn't it a fact that you are a Communist?

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to answer that.

Mr. SCHERER. Now, madam, you can't possibly refuse to answer that question on any constitutional grounds.

At your insistence, this statement of yours has been admitted in the record. And you tell us in here that you are under an order of deportation and a lot of other things.

Now I have a right then to certainly ask you with reference to statements you have voluntarily submitted to this committee. And if you refuse to answer those questions of mine on any grounds, I assure you that you are in contempt of this committee. And I, for one, will recommend and move that the committee cite you for contempt of the Congress because it is obvious you are in contempt.

It should be apparent now to your lawyer that you are.

(The witness confers with her counsel.)

Mrs. WELLMAN. I refuse to comment on your statement.

Mr. SCHERER. I ask that you direct the witness then, Mr. Chairman, to answer my question.

So there will be no question about it, my question——

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. Repeat the question, please.

Mr. SCHERER. I will repeat the question. The question is:

Isn't it a fact that you are under an order of deportation because of your Communist Party activities?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. JACKSON. I ask the witness again be directed to answer. The answer is not satisfactory in light of the voluntary statement entered into the record by the witness.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that question, relying on the fifth amendment.

Mr. SCHERER. All right.

Now in here you say you are a product of American schools and life.

Where did you go to school?

(The witness confers with her counsel.)

Mrs. WELLMAN. I went to school in Tacoma, Wash.

Mr. SCHERER. Well, what schools did you go to?

Mrs. WELLMAN. I don't like to admit it, but it is so long ago I don't remember.

Mr. JACKSON. I am sorry. I didn't hear you. You don't remember what schools you attended in Tacoma?

(The witness confers with her counsel.)

Mrs. WELLMAN. I said it is so long ago. I don't like to admit it, but it is so long ago I don't remember the names of the schools I went to.

Mr. JACKSON. Elementary schools and high school?

Mrs. WELLMAN. That is right. I went to elementary school.

Mr. SCHERER. Now where were you born?

(The witness confers with her counsel.)

Mr. SCHERER. I again call to your attention that you made a statement with reference to your birth in this voluntary statement that you have asked we admit in the record and which has been admitted into the record.

Mrs. WELLMAN. Mr. Chairman, I have already answered that question before, a couple of times.

Mr. SCHERER. You weren't asked that question before the statement was admitted in the record. Now we have to ask you again that same question in view of the fact that it has been admitted in the record.

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer that.

Mr. SCHERER. I ask, Mr. Chairman, that you direct the witness to answer the question as to where she was born. She can't tell us one thing in the statement here and then decline to answer when I cross-examine her on the statement.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I refuse to answer on the grounds of the fifth amendment.

Mr. JACKSON. Mr. Chairman, in light of the specific statement of the witness in her voluntary statement since admitted into the record, and the finding of the Supreme Court on the matter of direction to a witness and an indication that she stands in danger of contempt citation, I ask an additional direction to the witness that she answer the question as to where she was born.

Mr. FRAZIER. I again direct you to answer the question.

(The witness confers with her counsel.)

Mrs. WELLMAN. I again refuse, relying on the fifth amendment.

Mr. SCHERER. Now your husband was convicted for violating the Smith Act.

(The witness confers with her counsel.)

Mr. SCHERER. That is in the statement, counsel.

(The witness confers with her counsel.)

Mrs. WELLMAN. My statement says "My husband is appealing a 4-year, 8-month sentence under the Smith Act."

Mr. SCHERER. Then he was convicted before he can be sentenced. Right?

Witness, I am asking you a question.

Your husband was convicted for violating the Smith Act?

(The witness confers with her counsel.)

Mrs. WELLMAN. I have answered the question.

Mr. SCHERER. I submit she has not answered the question, and I ask that you direct the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mr. SCHERER. It is not what you said in your statement. It is what I am asking you now.

(The witness confers with her counsel.)

Mr. SCHERER. You can't answer my question by saying you said something in your statement.

(The witness confers with her counsel.)

Mrs. WELLMAN. I assume that no American court sentences people until they are convicted.

Mr. SCHERER. All right. Will you answer my question? It can be as simple as that—yes.

You have to answer it. Otherwise, I submit, young lady, that you are in contempt.

(The witness confers with her counsel.)

Mrs. WELLMAN. My husband was found guilty, and is now on appeal before the United States Supreme Court.

Mr. SCHERER. And were you living with him at the time of his conviction?

(The witness confers with her counsel.)

Mrs. WELLMAN. I think I would like to call attention to the committee rules.

Mr. SCHERER. I am thoroughly familiar with those rules, but you opened the door.

Mrs. WELLMAN. And I would like the chairman to make a ruling on the question.

Mr. SCHERER. The rule says that the committee shall not ask a husband or wife about the activities of the other.

But when you opened the door and you tried to lead this committee to believe certain things from the voluntary statement that you submitted in the record, then we have a right to ask you about your husband.

(The witness confers with her counsel.)

Mr. SCHERER. We didn't ask you initially. It wasn't until you opened the door by submitting this statement that we are asking you about your husband and your relations with him.

Mr. Chairman, I ask that the witness be directed to answer the question.

Mr. FRAZIER. Mr. Scherer, the Chair will have to rule against you. She doesn't have to answer that question.

You can appeal it and let the committee vote on it.

Mr. SCHERER. Well, I would like a vote because it is clear in my mind, and I know what the rule provides.

When a witness makes a statement, a voluntary statement about her husband, then certainly we have a right to cross-examine her and ask her about that statement.

That certainly is not a violation of the rule of the committee.

I would admit that if I had asked her that question before she made this voluntary statement I couldn't have asked her under the rules of the committee.

(The committee confers.)

Mr. JACKSON. Question, Mr. Chairman.

Mr. FRAZIER. The committee will take a 5-minute recess in order to consider this question.

(Whereupon, a short recess was taken, there being present Representatives Frazier, Velde, Jackson, and Scherer.)

(The committee was reconvened at the expiration of the recess, there being present Representatives Frazier, Velde, Jackson, and Scherer.)

Mr. FRAZIER. The committee will come to order.

On the question raised, as to whether the witness should be required to answer the question put by Mr. Scherer, I will ask the members of the committee to vote.

Mr. Velde?

Mr. VELDE. Mr. Chairman, again may we have a repetition of the question?

Mr. SCHERER. Let's get it here now.

In her statement the witness said "My husband is appealing a 4-year, 8-month sentence under the Smith Act."

My question is was she living with her husband at the time he was convicted.

Mr. VELDE. I vote aye on the motion you direct her to answer.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. Aye.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. Aye.

Mr. FRAZIER. On the motion before the committee I, as chairman, direct you to answer the question.

(The witness confers with her counsel.)

Mr. ARENS. Is the matter unresolved, Mr. Chairman? We have a number of witnesses.

Mr. FRAZIER. Yes. I have directed the witness to answer.

Mrs. WELLMAN. The answer is "Yes." I was living with my husband then, and I am living with him now, and I am continuing—I am fighting for the chance to continue to live with my husband and my family.

Mr. FRAZIER. You have answered the question.

You may proceed, Mr. Arens.

Mr. SCHERER. I have no further questions.

Mr. ARENS. Now, I lay before you a document which consists of the proceedings of the American Committee for Protection of Foreign Born at a National Conference to Defend the Rights of Foreign Born Americans, December 11-12, 1956. In this summary of proceedings you are identified here as the representative of the Michigan Committee for Protection of Foreign Born, and also as one of the persons who brought greetings to the conference from Detroit.

Kindly look at this document and see if you can't help this committee of the Congress by verifying the authenticity of the designation of yourself there.

(See exhibit VI, appendix, pp. 8372-8405.)

Mrs. WELLMAN. I decline to answer.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. ARENS. Make that 1954. I made a mistake on the date.

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Did you lead a panel discussion in that particular conference of the American Committee for Protection of Foreign Born?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Mr. Appell, lay before the witness the summary of the proceedings in which this witness is identified, Mrs. Peggy Wellman, as the leader of a discussion on how to repeal the Walter-McCarran Act.

(See exhibit No. 76a, appendix, p. 7222.)

Mrs. WELLMAN. I decline.

Mr. ARENS. Why?

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Did you attend a national conference of the American Committee for Protection of Foreign Born, New York City, at which Abner Green was one of the principal speakers?

(The witness confers with her counsel.)

Mrs. WELLMAN. I decline to answer.

Mr. ARENS. Do you know Abner Green?

Mrs. WELLMAN. I decline.

Mr. ARENS. Are you now at this moment a member of the Communist conspiracy?

Mrs. WELLMAN. I decline.

Mrs. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are now a Communist.

Mrs. WELLMAN. I decline.

Mr. ARENS. At this moment.

Mrs. WELLMAN. I decline.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. WELLMAN. I decline to answer, relying on the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that that would conclude the staff interrogation of this witness.

Mr. FRAZIER. Mr. Jackson, any questions?

Mr. JACKSON. No questions.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Margaret Fishman.

Kindly come forward.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony about to be given at this hearing will be the truth and the whole truth, so help you God?

Mrs. FISHMAN. I do.

TESTIMONY OF MRS. MARGARET FISHMAN, ACCOMPANIED BY COUNSEL, GEORGE W. CROCKETT, JR., DETROIT, MICH.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

(The witness confers with her counsel.)

Mrs. FISHMAN. My name is Margaret Fishman. My residence is 3666 Parker, in Detroit. And I am a housewife and mother of two children.

Mr. ARENS. You are appearing today in response to a subpoena issued by the House Committee on Un-American Activities?

Mrs. FISHMAN. Yes; I am.

Mr. ARENS. You are represented by counsel?

Mrs. FISHMAN. Yes; I am.

Mr. ARENS. Will counsel identify yourself?

Mr. CROCKETT. George W. Crockett, Jr., attorney, 3220 Cadillac Tower, Detroit, Mich.

Mr. ARENS. Do you know the lady who just preceded you to the witness stand, Mrs. Peggy Wellman?

Mrs. FISHMAN. I will refuse to answer that question under the privileges guaranteed me under the fifth amendment of the Constitution.

Mr. ARENS. Kindly look over your right shoulder.

Mr. Schemanske, would you please stand there in the front row of the hearing room?

(The witness confers with her counsel.)

(The witness Schemanske arose.)

Mr. ARENS. Ma'am, kindly look at the gentleman standing in the front row.

Mrs. FISHMAN. I don't feel so inclined, thank you.

Mr. ARENS. This gentleman here testified this morning under oath that while he was an undercover representative of the Federal Bureau of Investigation in the Communist Party he knew you as a Communist.

Was he lying or was he telling the truth?

(The witness confers with her counsel.)

Mrs. FISHMAN. I will decline to answer that question, too, under the guaranties of the fifth amendment of the United States Constitution.

Mr. ARENS. Where were you born?

(The witness confers with her counsel.)

Mrs. FISHMAN. I was born in Ohio.

Mr. ARENS. When?

Mrs. FISHMAN. March 20, 1925.

Mr. ARENS. Would you kindly give us your maiden name.

(The witness confers with her counsel.)

Mrs. FISHMAN. May I ask the Chair for a ruling on the relevancy of such a question.

Mr. FRAZIER. The Chair rules it is relevant.

(The witness confers with her counsel.)

Mr. JACKSON. It is a matter of proper identification, Mr. Chairman.

(The witness confers with her counsel.)

Mrs. FISHMAN. My maiden name was Radulovich, R-a-d-u-l-o-v, as in victory, -i-c-h.

Mr. ARENS. Give us, if you would, please, just a brief thumbnail sketch of your educational background.

(The witness confers with her counsel.)

Mrs. FISHMAN. I attended the public-school system of the city of Detroit, period.

Mr. ARENS. And when did you conclude your formal education?

(The witness confers with her counsel.)

Mrs. FISHMAN. I graduated from high school in 1943.

Mr. ARENS. Now tell us, if you please, the name of your husband.

(The witness confers with her counsel.)

Mrs. FISHMAN. I would request that the Chair rule on such a question.

He asked the name of my husband.

Mr. ARENS. The question is for the purpose of identification.

Kindly tell us the name of your husband.

I am not asking her to testify with respect to any activities of her husband, any trouble her husband may have been in or anything about her husband, but just identify her husband for the purpose of identi-

fication of herself. She appears here as a married woman, Mrs. Margaret Fishman. I want the name of her husband.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

(Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mrs. FISHMAN. The question violates rule 12 of your own rules.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. I have already directed you to answer the question.

I am familiar with the rules. You are merely asked to name your husband.

Mrs. FISHMAN. His name is A. Fishman.

Mr. ARENS. What does the A stand for?

Mrs. FISHMAN. Alvin.

Mr. ARENS. We exhibit to you a document which has been already identified in this record, Michigan Committee for Protection of Foreign Born, bearing a signature, Margaret Fishman, for Provisional Committee for Youth Participation.

Kindly look at this document and see if you can't help this Committee on Un-American Activities by attesting to the veracity and authenticity of that signature.

(See exhibit No. 309, appendix, p. 7637.)

Mrs. FISHMAN. I will decline to answer that question under the privileges guaranteed under the fifth amendment of the United States Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as and when this witness signs the voucher pursuant to which she will receive pay for appearance here and transportation expenses, that that part of the voucher bearing her signature be incorporated in the body of the record so there may be a comparison of signatures.

Mr. FRAZIER. It is so ordered.

(Document marked "Exhibit No. 333," see appendix, p. 7694.)

Mr. ARENS. Do you know a person by the name of Bereniece Baldwin?

(The witness confers with her counsel.)

Mrs. FISHMAN. I will decline to answer that question under the fifth amendment privileges.

Mr. ARENS. Bereniece Baldwin testified before this committee, under oath, that while she was an undercover agent for the Federal Bureau of Investigation in the Communist Party she knew you as a Communist, and that she turned over to you certain committee records of the Communist Party of Michigan.

Was she lying or was she telling the truth?

(The witness confers with her counsel.)

Mrs. FISHMAN. Upon the advice of counsel, I refuse to answer that question, under the fifth amendment privileges of the United States Constitution.

Mr. ARENS. What other school did you attend besides this high school that you told us about while you were acquiring this education?

(The witness confers with her counsel.)

Mrs. FISHMAN. What do you mean? While I was going to high school?

Mr. ARENS. Any other school that you have attended now besides this school that you talked about.

(The witness confers with her counsel.)

Mrs. FISHMAN. You mean as a part of my formal education in the public school system?

Mr. ARENS. Yes, ma'am.

Not necessarily in the public school system. Rack your brain now and see if you can't tell this committee some other little school you may have attended up in Michigan.

Mrs. FISHMAN. I don't appreciate your sarcasm, if you don't mind. I am not accustomed to such.

(The witness confers with her counsel.)

Mrs. FISHMAN. I wish you would make your question more specific.

Mr. ARENS. Do you have a recollection of attending any other school in Michigan other than the schools that you have alluded to thus far in your testimony?

(The witness confers with her counsel.)

Mrs. FISHMAN. I don't understand your question anyhow.

Mr. ARENS. Did you attend the Michigan School of Social Science?

(The witness confers with her counsel.)

Mrs. FISHMAN. I will refuse to answer that question under the fifth amendment privilege.

Mr. ARENS. I put it to you as a fact, ma'am, and ask you to affirm or deny the fact that you did attend the Communist-controlled Michigan School of Social Science.

Mrs. FISHMAN. I think I just refused to answer under the privileges of the fifth amendment to such a question.

Mr. ARENS. Now whom do you know in the Yugoslav Embassy in Washington, D. C.?

Mrs. FISHMAN. I decline to answer that question.

Mr. ARENS. Do you know anybody or have you, in the course of the last few years, known anybody in the Yugoslav Embassy in Washington, D. C.?

(The witness confers with her counsel.)

Mrs. FISHMAN. I decline to answer that question under the fifth amendment privileges.

Mr. ARENS. Have you been in contact with a person in the international Communist apparatus headquartered in the Yugoslav Embassy in Washington, D. C.?

Mrs. FISHMAN. I decline to answer that question, too.

Mr. ARENS. Have you ever caused to be transmitted to a person in the Yugoslav Embassy in Washington, D. C. any confidential or restricted information respecting industries or production in Detroit, Mich.?

(The witness confers with her counsel.)

Mrs. FISHMAN. Upon the insistence of my attorney, I refuse to answer that question under the fifth amendment privileges of the United States Constitution.

Mr. SCHERER. You don't have to accept his advice if you don't want to.

Mrs. FISHMAN. I will accept my attorney's advice, thank you, sir.

Mr. SCHERER. You say upon insistence of his advice.

Mr. ARENS. Are you the sister of Lt. Milo Radulovich?

Mrs. FISHMAN. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. FISHMAN. I will decline to answer under the fifth amendment privileges of the United States Constitution.

Mr. ARENS. Have you at any time received from your brother Milo Radulovich any property, manuals, documents of the United States Air Force?

(The witness confers with her counsel.)

Mrs. FISHMAN. You know better.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. Your answer is not responsive. You are directed to answer the question.

Mrs. FISHMAN. I will decline to answer under the fifth amendment privileges of the United States Constitution.

Mr. ARENS. Now, ma'am, I cause to be laid before you a photograph.

"No More Legal Lynchings" according to this sign.

In this group, I ask you if you would kindly look at the photograph and see if you can identify your physical features as one of the participants in that assembly.

(Document marked "Exhibit No. 334," see appendix, opposite p. 7694.)

(The witness examines document and confers with her counsel.)

Mrs. FISHMAN. I refuse to answer the question under the privileges of the United States Constitution incorporated in the fifth amendment.

Mr. ARENS. Were you a member of the State Central Committee of the Progressive Party of Michigan?

(The witness confers with her counsel.)

Mrs. FISHMAN. I decline to answer that under the privileges of the fifth amendment of the United States Constitution.

Mr. ARENS. Were you affiliated with the Civil Rights Congress of Michigan?

Mrs. FISHMAN. I will decline to answer that question under the privileges of the fifth amendment of the United States Constitution.

Mr. ARENS. Did you attend the clemency rally for the Rosenbergs in January 1953, held in Detroit, Mich.?

Mrs. FISHMAN. I decline to answer that question under the privileges of the fifth amendment.

Mr. ARENS. Are you or have you been one of the leaders of the Labor Youth League of Michigan?

Mrs. FISHMAN. I refuse to answer that question under the privileges of the United States Constitution incorporated in the fifth amendment.

(Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mr. ARENS. Now I have a photostatic copy of the Detroit News, editorial page, which I should like to have exhibited to you: Wednesday, April 14, 1954, containing a letter to the editor on Motherhood and the H-Bomb, signed by Margaret Fishman.

Kindly look at that letter and tell this committee whether or not you are the author of the letter.

(Document marked "Exhibit No. 335," see appendix, p. 7695.)

(The witness examines document and confers with counsel.)

Mrs. FISHMAN. I will decline to answer that question under the privileges of the fifth amendment.

Mr. ARENS. Are you now a Communist?

(The witness confers with her counsel.)

Mrs. FISHMAN. I decline to answer that question, on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions, Mr. Jackson?

Mr. JACKSON. No.

I would like to have a conference with counsel for a moment.

(The committee and committee counsel confer.)

Mr. JACKSON. I have no questions, Mr. Chairman.

Mr. FRAZIER. Mr. Scherer, any questions?

Mr. SCHERER. I have no questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Charles A. Hill.

Kindly come forward.

Please remain standing until the chairman administers an oath to you.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony about to be given at this hearing will be the truth, the whole truth, so help you God?

Reverend HILL. I do.

TESTIMONY OF CHARLES A. HILL, ACCOMPANIED BY COUNSEL, GEORGE W. CROCKETT, JR., DETROIT, MICH.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Reverend HILL. Rev. Charles A. Hill, 1660 West Grand Boulevard, Detroit, Mich., pastor of the Hartford Avenue Baptist Church.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Reverend HILL. That is the only reason I am here.

Mr. ARENS. You are represented by counsel?

Reverend HILL. I am.

Mr. ARENS. Will counsel kindly identify himself?

Mr. CROCKETT. George W. Crockett, Jr., attorney, 3220 Cadillac Tower, Detroit, Mich.

Mr. Counsel, the witness has asked that I request that no further pictures be taken.

Mr. FRAZIER. All right, as soon as this is over with we will have no pictures taken.

Mr. CROCKETT. May we have a rule on the question of pictures.

Mr. ARENS. Counsel should be advised, if he knows the rules of the committee, your sole and exclusive prerogative is to advise your client with respect to his constitutional rights.

Mr. CROCKETT. My client is asking for a ruling from the Chair.

Mr. FRAZIER. It is the rule of the committee that pictures can be taken when he comes in but not, if he objects, after he begins to testify.

Reverend HILL. I will give them all the pictures they want after the hearing.

Mr. FRAZIER. All right.

Mr. JACKSON. The Chair has ruled on that matter.

Mr. CROCKETT. The photographer is violating the rule.

Mr. FRAZIER. I have ruled on it.

Mr. ARENS. Mr. Hill, are you now a Communist at this moment?

Reverend HILL. I refuse to answer under the fifth amendment of the Constitution.

Mr. ARENS. Mr. Appell, my associate here, is going to exhibit to you a summary of the proceedings of the American Committee for Protection of Foreign Born. These proceedings took place, according to the document which has been identified in this record, in Detroit, Mich., on December 3, 1949.

The National Conference Against Deportation Hysteria.

Kindly look at this document and tell the committee if you are the Rev. Charles A. Hill of Detroit, Mich., who is listed here as one of the speakers of the conference.

See exhibit II, appendix, pp. 8275-8302.)

(The witness confers with his counsel.)

Reverend HILL. I decline to answer, relying on the fifth amendment.

Mr. ARENS. Mr. Appell is going to display to you a document entitled "Call to a Bill of Rights Conference."

This call to a bill of rights conference, according to the document which has been identified in this record, was in July 1949, under the auspices of the Civil Rights Congress, and you are identified in this document as one of the sponsors of this conference, Rev. Charles A. Hill of Detroit, Mich.

Please look at the document and tell this committee whether or not you can verify the authenticity of the appearance of your name in the document.

(The witness confers with his counsel.)

Reverend HILL. I decline to answer on the fifth amendment.

Mr. ARENS. We have a photostatic copy of the Communist Daily Worker of April 24, 1949. Mr. Appell will display that to you and invite your attention to a photograph which appears there. It is captioned "Tracy Doll, Michigan Democratic State Representative, signs the giant Civil Rights Congress post card to President Truman demanding that the indictments against the 12 Communist leaders be scrapped."

Then left to right in that photograph are Nadine Drake, yourself and Stanley Nowak.

Did you know Nadine Drake and Stanley Nowak to be members of the Communist conspiracy when you had your picture taken with them?

(Document marked "Exhibit No. 336," see appendix, p. 7696.)

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. Were you one of the founders of the Civil Rights Congress of Michigan?

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. Now we have here a photostatic copy of the official records maintained by the Detroit Telephone Co. relating to the Civil Rights Federation, which shows that the President was Professor Sheppard, U. of M.—University of Michigan; vice president, Rev. Charles Hill, minister of Hartford Baptist Church, chairman of interracial committee; and, executive secretary, Mr. Raskin.

Kindly look at that document and tell the committee while you are under oath whether that is a true and correct designation of yourself.

(Document marked "Exhibit No. 337," see appendix, p. 7697.)

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. We have still another document we want to display to you, Mr. Hill.

It is a letterhead of the Civil Rights Congress, which has been cited repeatedly as a Communist-controlled organization. On this letter, which is addressed to Dear Congressman, calling upon the Congressman to do certain things with reference to some legislation, to defeat certain anti-Communist legislation, we see the name of Rev. Charles A. Hill.

Please look at that document and see if you can't help this committee of the Congress by verifying its authenticity.

(The witness confers with his counsel.)

(See exhibit No. 32a, appendix, p. 7139.)

Reverend HILL. I decline to answer that under the fifth amendment.

Mr. ARENS. We exhibit to you now still another document "Clergymen Condemn Deportations!", issued under the auspices of the American Committee for Protection of Foreign Born.

We see here one of the persons who signs this is Charles A. Hill of Detroit, Mich., Rev. Charles A. Hill of Detroit, Mich.

(Document marked "Exhibit No. 338," see appendix, p. 7698.)

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. Do you bear the title of reverend?

Reverend HILL. I do.

Mr. ARENS. Are you a member of a conspiratorial operation which is dedicated to the destruction of Christian ideology, Christian beliefs, and to the promotion of an atheistic, materialistic world?

(The witness confers with his counsel.)

Reverend HILL. I am against everything that is contrary to the teachings of the Bible.

I am opposed to any sort of injustice.

Mr. ARENS. Are you opposed to the injustices inflicted by the conspiratorial apparatus of the Communist world conspiracy?

Reverend HILL. I am opposed to all injustices.

Mr. ARENS. Be specific.

Are you opposed to the Communist Party.

Reverend HILL. I don't care who has an injustice; I am against it.

Mr. ARENS. Tell us whether or not you are opposed to the Communist Party.

Reverend HILL. I am opposed to anything that is wrong.

Mr. ARENS. Be specific.

Are you opposed to the Communist Party?

(The witness confers with his counsel.)

Reverend HILL. I am opposed to anything that is wrong. I don't care where.

Mr. ARENS. Can you be specific on that?

Reverend HILL. That is specific.

Mr. ARENS. Are you opposed to the Communist Party?

Reverend HILL. Maybe you can't understand English.

I am opposed to anything; I don't care what it is.

Mr. ARENS. Can you just use the words Communist Party in some answer?

Are you opposed to the Communist Party?

Reverend HILL. The Communist Party isn't the only organization that is damning the Negroes in America today.

Mr. ARENS. Are you opposed to the Communist Party?

Reverend HILL. I am opposed to anything that is contrary to this Bible that I carry all the time, and is my guide. I don't care who does it.

Mr. ARENS. Are you opposed to the Communist Party?

Reverend HILL. I am opposed to everything that is wrong.

Mr. ARENS. Would you include the Communist Party as a part of that which is wrong?

(The witness confers with his counsel.)

Reverend HILL. I have answered, and I refuse to answer any more.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that, in view of the recitation of this witness of all the things he is opposed to, that he be ordered and directed to tell this committee whether or not he is opposed to the Communist Party.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Reverend HILL. I refuse and rely on the fifth amendment.

Mr. ARENS. Do you honestly feel, in view of all the statements you have made, that if you told this committee truthfully whether or not you are opposed to the Communist Party you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Reverend HILL. I refuse to answer, relying on the fifth amendment. I don't have to lie.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. Did the witness take the fifth amendment on that.

Reverend HILL. Yes, the fifth. I did, but he can't hear.

Mr. FRAZIER. Well, now, we will just disregard such remarks.

I understood the witness to take the fifth amendment, but I will direct him to answer, to do it again in case you didn't hear it.

Mr. ARENS. There is a misunderstanding on the record, Mr. Chairman.

The question, the principal question outstanding is:

Do you honestly apprehend or fear that if you told this committee truthfully whether or not you are opposed to the Communist Party you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Reverend HILL. I decline, relying on the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Reverend HILL. I decline under the fifth amendment.

Mr. JACKSON. Mr. Chairman, I have a question.

Mr. FRAZIER. Yes.

Mr. JACKSON. During the course of the witness' voluntary statement he said—and I took it down verbatim; we could check the record on it:

The Communist Party isn't the only organization damning the Negro in America today.

Is the Communist Party, in your opinion, damning the Negro?

(The witness confers with his counsel.)

Reverend HILL. I decline to answer that under the fifth amendment.

Mr. JACKSON. Thank you.

Mr. ARENS. I would like to read, in view of your assertion a moment ago that you always stand for truth, or something to that effect, a quotation from Nicolai Lenin.

Do you know who he was?

Reverend HILL. I have heard of him. I don't know him.

Mr. ARENS (reading):

We must be able to withstand all this, to agree to all and every sacrifice, and even if need be to resort to various stratagems, artifices, illegal methods, to evasions and subterfuges.

That was from N. Lenin.

Do you belong to an organization, or a conspiratorial operation, I should say, which follows the pattern of Lenin?

(The witness confers with his counsel.)

Reverend HILL. I decline to answer, relying on the fifth amendment because I know the Bible says "Righteousness exalts the nation."

Mr. ARENS. Do you have a Bible there?

Reverend HILL. That is right.

Mr. ARENS. Turn to the first Psalm and see in the first Psalm about "Blessed is the man who walketh not in the counsel of the ungodly."

Reverend HILL. I know that. That is where I have been walking all the time.

Mr. ARENS. Have you been walking in the counsel of the ungodly?

Reverend HILL. No; I haven't.

Mr. ARENS. Have you been a member of the ungodly group of Communists?

(The witness confers with his counsel.)

Reverend HILL. I decline to answer that under the fifth amendment.

Mr. ARENS. If you haven't been a member of an ungodly group of Communists, why in the world would you decline to answer that on the grounds that you might be giving a little information that could be used against you in a criminal proceeding?

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. Now we lay before you still another exhibit, an invitation to American labor to participate in a peace congress and exposition at the Chicago Coliseum, 1951.

Mr. Appell, will you kindly display that to the witness.

You are one of the persons there who is calling this conference for peace, are you not?

Look at that exhibit and see if you can't help this Committee on Un-American Activities.

(Document marked "Exhibit No. 339a-d," see appendix, pp. 7699-7702.)

(The witness confers with his counsel.)

Reverend HILL. I decline, relying on the fifth amendment.

Mr. ARENS. We show you a photostatic copy of two pages from the American Peace Crusader. They have a Michigan Peace Council according to this Peace Crusader, all formed with Rev. Charles A. Hill as chairman.

Won't you, as a minister of the gospel, tell this committee while you are under oath whether or not you will admit being chairman of this peace crusade?

(Document marked "Exhibit No. 340a, b," see appendix, pp. 7703, 7704.)

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Why? You are not ashamed of being a promoter of peace, are you? Unless, of course, it is under the auspices of the Communist conspiracy.

(The witness confers with his counsel.)

Reverend HILL. I have never been ashamed to be for peace.

Mr. ARENS. Then stand up and tell this committee whether or not you were chairman of the Communist-controlled peace crusade.

Reverend HILL. I stand on my constitutional rights and decline to answer under the fifth amendment.

Mr. ARENS. Now we want to invite your attention to "‘Peace’ Poll Is Under Fire," from the Detroit News of May 27, 1951, about the American Peace Crusade being designated, according to certain patriotic people, as Communist inspired and Communist controlled. And the chairman of this group is Rev. Charles A. Hill.

Please tell this committee while you are under oath whether or not you are he.

(Document marked "Exhibit No. 341," see appendix, p. 7705.)

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. What have you done to protest the trial of the 11 Communist traitors down in New York City?

Reverend HILL. I decline to answer under the fifth amendment.

Mr. ARENS. You are not ashamed of what you might have done to protect—

Reverend HILL. Nothing I have done am I ashamed of.

Mr. ARENS. Then tell this committee while you are under oath, what, if anything—

Reverend HILL. I am telling you I am declining under the fifth amendment.

Mr. ARENS. Do you honestly feel if you told this committee truthfully what you may have done to protest the trial of the 11 Communist traitors down in New York City you would be supplying information which might be used against you in a criminal proceeding?

Reverend HILL. I try to tell you I decline under the fifth amendment.

Take whatever interpretation you want.

Mr. ARENS. We lay before you a document from the Communist Daily Worker, Thursday, January 15, 1953, in which a number of people are protesting the trial of these Communist traitors down in New York City, including one Charles A. Hill, of Detroit.

Look at that and see if the Daily Worker might have made a mistake. Maybe you can help this Committee on Un-American Activities.

(Document marked "Exhibit No. 342," see appendix, pp. 7705, 7706.)

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. We show you a mimeographed copy of a letter dated March 21, 1953, signed by Rev. C. M. Metcalf, which invites a number of people to participate in a conference described as the Michigan Conference to Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans.

Tell the committee whether or not you were a participant in this conference called by Reverend Metcalf.

According to the leaflet, which he encloses with his letter, a number of people sponsored this conference, including a Rev. Charles A. Hill.

Look at that and see if you can't help this Committee on Un-American Activities.

(Document marked "Exhibit No. 343a-c," see appendix, pp. 7707-7709.)

Reverend HILL. I decline under the fifth amendment.

I think that is helping the committee.

Mr. SCHERER. What?

Reverend HILL. I think I am helping the committee when I decline under the fifth amendment.

Mr. ARENS. I lay before you still another document, the Communist Daily Worker of April 3, 1953: "McCarran Law Repeal Urged by 93 Notables."

Among the 93 notables whose names are announced by the American Committee for Protection of Foreign Born is Rev. Charles A. Hill, of Detroit.

Look at that document and see if you can't help us.

(Document marked "Exhibit No. 344a, b," see appendix, pp. 7710, 7711.)

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. The Committee for the Freedom of Sam Milgrom.

This is the next document I should like to lay before you. It is a photostatic copy of a letterhead of the group that wants to free Sam Milgrom. One of the cochairmen is Rev. Charles A. Hill.

(See exhibit No. 89, appendix, p. 7254.)

Look at this exhibit now and help the Committee on Un-American Activities by telling us, first of all, who is or who was Sam Milgrom, and, secondly, what did you do to try to get him free?

Reverend HILL. I decline under the fifth amendment.

(Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mr. ARENS. We have a reproduction of the New York Times of August 8, 1955: "73 Ask New View in Trials of Reds."

A number of people here are protesting the conviction of the Communist traitors, and want a new trial for them, including a Rev. Charles A. Hill.

Look at the document and see if you can't help the Committee on Un-American Activities by identifying that document.

(Document marked "Exhibit No. 345," see appendix, p. 7712.)

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Did you attend a National Conference of the American Committee for Protection of Foreign Born in Detroit, Mich.?

Reverend HILL. I decline.

Mr. ARENS. In 1955.

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. You were one of the leaders of that conference, were you not?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. You are not ashamed of anything you may have done in pursuit of your objectives of modifying the McCarran-Walter Act, are you?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. We have here the minutes of the meeting. Rev. Charles A. Hill makes the opening remarks, and he introduces a number of people, all of whom have been identified as Communist agents, at this conference to repeal the McCarran-Walter Act.

Look at that and tell us whether or not you are properly identified there as Rev. Charles A. Hill, the chairman of this session.

(Document marked "Exhibit No. 346," see appendix, p. 7713.)

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Do you know your lawyer here in any capacity other than that of attorney and client? Do you know the man who represents you here?

He has represented a number of people here today.

(The witness confers with his counsel.)

Reverend HILL. Yes, I know him. He is the attorney for my church.

Mr. ARENS. And do you know him in any other capacity?

Reverend HILL. Only as a gentleman.

Mr. ARENS. Do you know whether or not he is a member of the Communist Party?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Have you ever served in a closed party meeting with him?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Do you know these other people who have appeared here with him sitting at the side of them representing them?

Do you know Margaret Fishman?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Do you know Peggy Wellman?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Do you know Saul Grossman?

Reverend HILL. I decline under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions, Mr. Jackson?

Mr. JACKSON. Yes.

I gather you favor the repeal of the McCarran-Walter Act?

Reverend HILL. Yes, I do.

Mr. JACKSON. Do you favor the repeal of the Smith Act?

(The witness confers with his counsel.)

Mr. JACKSON. That is the act—

Reverend HILL. I refuse to answer under the fifth amendment.

Mr. JACKSON. Do you favor the repeal of all of the laws that are on the statute books of the United States Government designed to protect the security of this country against Communist infiltration and subversion?

Reverend HILL. I decline to answer under the fifth amendment.

Mr. JACKSON. No further questions.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Stanley Nowak is the next witness, if you please, sir.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear that the testimony about to be given in this hearing will be truth, and the whole truth, so help you God?

Mr. NOWAK. I do.

TESTIMONY OF STANLEY NOWAK, ACCOMPANIED BY COUNSEL. GEORGE W. CROCKETT, JR., DETROIT, MICH.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NOWAK. My name is Stanley Nowak. I live in Detroit, 7525 Wikes Street, Detroit, Mich. I served as a union organizer for many years. I served also for 10 years in the Michigan State Senate, and at the present time I do some public speaking and some free-lance writing.

Mr. ARENS. For what organization do you do the public speaking or free-lance writing?

(The witness confers with his counsel.)

Mr. NOWAK. I see no reason why I have to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. I decline to answer that question on the grounds of both the first and fifth amendments.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. NOWAK. I do.

Mr. ARENS. And you are represented by counsel?

Mr. NOWAK. I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. CROCKETT. George W. Crockett, Jr., attorney, 32—

Mr. ARENS. Mr. Nowak—

Excuse me. I beg your pardon. I apologize.

Mr. CROCKETT. All right, it is accepted.

3220 Cadillac Tower, Detroit, Mich.

Mr. ARENS. Mr. Nowak, do you know your counsel in any capacity other than the capacity of attorney and client?

Mr. NOWAK. Yes.

I knew Mr. Crockett when he was a counsel for the UAW.

Mr. ARENS. That is United Auto Workers?

Mr. NOWAK. That is right. In fact, it was in that capacity that I met him first.

Mr. ARENS. Tell us of all the capacities you have known him since the first capacity in which you knew him.

Mr. NOWAK. The only capacity I know him in is as an attorney.

Mr. ARENS. I beg your pardon?

Mr. NOWAK. The only capacity that I know Mr. Crockett is the capacity as an attorney.

Mr. ARENS. And did you know him as a fellow member of the United Auto Workers' staff there?

Mr. NOWAK. Well, I knew him as the attorney for the United Auto Workers.

Mr. ARENS. Did you ever serve in the Communist Party with him?
(The witness confers with his counsel.)

Mr. NOWAK. First of all, this is an improper question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. Mr. Chairman, may I again say this is an improper question and that is why I refuse to answer improper questions on the grounds of the fifth amendment.

Mr. ARENS. Now you said a moment ago you were a State senator.

Mr. NOWAK. Yes.

Mr. ARENS. In Michigan.

And did you, before you took your office as a State senator, take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic?

Mr. NOWAK. Everyone who serves in any capacity had to accept an oath, and I did.

Mr. ARENS. Did you at that time you took that oath then belong to an organization dedicated to the overthrow of the Government of the

United States by force and violence and destruction of the Constitution of the United States?

Mr. NOWAK. It is an improper question. It is a question that is an unfair question, and therefore I refuse to answer the question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. For the record, Mr. Chairman, I again want to repeat it is an improper question. It is a question that is not put in good faith, and therefore I exercise my constitutional right to decline to answer that question on both the first and fifth amendments.

Mr. ARENS. Do you know the man that just preceded you to the witness stand, Rev. Charles Hill?

Mr. NOWAK. Mr. Chairman, I refuse to serve this committee as an informer.

You have plenty of informers on your staff, and you can get this information.

Mr. FRAZIER. It is not necessary for you to make a speech.

Just answer the question or decline to answer.

Mr. NOWAK. I decline to answer, and I want to state the reasons why I decline to answer.

Mr. FRAZIER. What were your reasons?

Mr. NOWAK. The reason is that I am not an informer.

I am not going to come here and testify about other people.

Mr. FRAZIER. That is not an answer. That is not a legitimate reason to decline to answer.

Mr. NOWAK. That is my reason.

Mr. FRAZIER. And you know it.

Mr. ARENS. Is that the only reason you want to give?

Mr. NOWAK. That is my main reason.

Mr. ARENS. All right; we will get on to another question.

I want to invite your attention to the gentleman who is going to stand there in the first row, Mr. Stephen J. Schemanske.

Mr. Schemanske, would you kindly stand.

(Mr. Schemanske arose.)

Mr. ARENS. Would you look over your right shoulder—

Mr. NOWAK. Sure.

Mr. ARENS. Look him in the eye and tell this committee whether or not he was telling the truth when he this morning took an oath and identified you as a person known by him to be a member of the Communist conspiracy.

(The witness confers with his counsel.)

Mr. NOWAK. Mr. Chairman, just before I answer this question, on the advice of my attorney, he called my attention that I did not mention in the last time I declined to answer the question that I declined on the grounds of the fifth amendment.

Mr. ARENS. You want to modify your preceding answer? The other answer you gave was that you didn't want to be an informer.

Now you want to add to that that you do not want to supply information that could be used against you in a criminal proceeding. Is that right?

Mr. NOWAK. I didn't say that.

Mr. ARENS. Then we will get to that point right now.

Do you honestly apprehend, sir——

Mr. NOWAK. Mr. Chairman, I will answer the question in my own way.

Mr. ARENS. You are going to answer whether or not you honestly apprehend that if you told this committee whether or not you knew Reverend Hill you would be supplying information that could be used against you in a criminal proceeding.

Mr. Chairman, I respectfully suggest he be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer the question, relying on the fifth amendment.

Mr. ARENS. Let's get back to Mr. Schemanske. He testified this morning under oath that while he was an undercover agent for the Federal Bureau of Investigation he knew you as a member of the Communist conspiracy and that you were a Communist.

Was Mr. Schemanske lying or was he telling the truth?

Mr. NOWAK. Well, I never knew a stool pigeon that told the truth. I decline to answer the question.

Mr. ARENS. Why?

Mr. NOWAK. I decline again. That's right.

Mr. ARENS. Why? Why do you decline?

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer the question, relying on the fifth amendment, exercising my constitutional privileges.

Mr. ARENS. Mr. Schemanske testified that he knew you as a member of the nationality commission of the Communist conspiracy in this country. Was he then lying or was he telling the truth?

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. Where were you born?

Mr. NOWAK. In Poland.

Mr. ARENS. When?

Mr. NOWAK. 1903.

Mr. ARENS. And when did you come to the United States?

Mr. NOWAK. In 1913.

Mr. ARENS. And were you admitted for permanent residence in 1913?

Mr. NOWAK. I did (sic).

Mr. ARENS. Were you subsequently naturalized?

Mr. NOWAK. I was.

Mr. ARENS. Where were you naturalized and when?

Mr. NOWAK. In Michigan, in 1937.

Mr. ARENS. And at the time of your naturalization did you make any statements with respect to whether or not you were a member of any organization dedicated to the overthrow of the Government of the United States by force and violence?

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer that question.

Mr. ARENS. Were you, at the time you became a citizen of the United States by naturalization, a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer that question.

Mr. ARENS. Why?

Mr. NOWAK. I decline.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. Mr. Chairman, I decline to answer the question, relying on my constitutional privileges as stated in the fifth amendment.

Mr. FRAZIER. Proceed, Mr. Counsel.

Mr. ARENS. Back in 1942 you were a strong advocate of the war effort, were you not?

Mr. NOWAK. We were all in the war.

Mr. ARENS. I beg your pardon?

Mr. NOWAK. We were all in war. It was a policy of our Government. And certainly I was in favor of the war to get Hitler, who was the threat to the world at that time.

Mr. ARENS. Now I can't quite understand something here, and maybe you can help us out.

In December 1942, according to the Daily Worker, you were a strong advocate of war, all-out war right away.

In March 1941, while the Hitler-Stalin Pact was in force, and before Hitler invaded Soviet Russia, according to the Communist Daily Worker you were a strong advocate of no war and of peace. Can you help us on that?

(Document marked "Exhibit No. 347a, b," see appendix, pp. 7714, 7715.)

Mr. NOWAK. Yes, I can refresh your memory.

Mr. ARENS. I wish you would do so.

Mr. NOWAK. I testified on that very question 3 or 4 years ago when this very committee came to Detroit and asked me the very same question, and I answered that question then.

Mr. ARENS. Answer it again. Would you, please?

Mr. NOWAK. I see no reason why 3 or 4 years later I have to be subpoenaed here to answer questions that I have answered if you look and read your own record.

Therefore—

Mr. ARENS. I don't recall from the record that you did answer the question. I recall that you were invoking the fifth amendment right along.

Mr. NOWAK. I did answer that question.

Mr. ARENS. Tell this committee why it was you changed from such a strong proponent of peace during the Hitler-Stalin Pact and such a condemner of the war policies of the United States, and the day after Hitler attacked Soviet Russia you became a great patriot, all out for war.

See if you can help us on that.

Mr. NOWAK. I decline to answer your question.

(The witness confers with his counsel.)

Mr. ARENS. We want to invite your attention to another exhibit, Daily Worker, March 31, 1941.

(Document marked "Exhibit No. 348," see appendix, pp. 7716, 7717.)

Were you the chairman of the American Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer that question.

Mr. ARENS. The Communist Daily Worker of March 31, 1941, which we just referred to, identifies you as a member of the American Committee for Protection of Foreign Born.

Was the Communist Daily Worker just an informer or just a stool pigeon or was it right?

Mr. NOWAK. I am not responsible for it.

Mr. ARENS. Do you call the Communist Daily Worker a stool pigeon?

Mr. NOWAK. I decline to answer that question. I am not responsible for what the presses write.

Mr. ARENS. Was the press wrong in this case?

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. We have here an exhibit concerning Washington Peace Mobilization under the auspices of the American Peace Mobilization, held in Washington in 1941. A special panel is going to discuss a number of things all under this peace mobilization, Washington Peace Mobilization, and State Senator Nowak is listed here as one of the speakers.

Please look at this document and see if you can't help the Committee on Un-American Activities and your government by verifying the authenticity of that document.

(Document marked "Exhibit No. 349," see appendix, p. 7718.)

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. On the letterhead of the American Committee for Protection of Foreign Born the Honorable Hugh DeLacy is listed as one of the vice chairmen on this committee. You—the Honorable Stanley Nowak—were the national chairman at that time.

Look at this letterhead and see if you can't help the Committee on Un-American Activities by telling us whether or not you are correctly identified on this letterhead of the American Committee for the Protection of the Foreign Born.

(Document marked "Exhibit No. 350," see appendix, p. 7719.)

Mr. NOWAK. I decline to answer that question.

(Committee members present: Representatives Frazier, Jackson and Scherer.)

Mr. ARENS. We have the letterhead of the National Legislative Conference on Naturalization and Deportation, in 1948, showing the Honorable Stanley Nowak as chairman.

Look at this letterhead and see if you can't help the Committee on Un-American Activities and tell about your activities here in this National Legislative Conference on Naturalization and Deportation.

(Document marked "Exhibit No. 351," see appendix, p. 7720.)

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. Now we invite your attention to still another exhibit, a photostatic copy of the Daily Worker of March 3, 1948.

This story deals with the picketing of the office of the Immigration Service in Detroit. It tells about a number of people who were demanding the release of the Communist Gerhart Eisler, Communist Ferdinand Smith, Communist Irving Potash and other Communists

who were then in custody of the Immigration and Naturalization Service. A number of people are identified as picketing, including one Stanley Nowak.

Kindly tell us whether or not you are properly identified in that article.

(Document marked "Exhibit No. 352," see appendix, p. 7721.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. You knew, of course, that each and every one of these persons who was then in custody of the Immigration and Naturalization Service was an agent of a foreign-controlled conspiracy dedicated to the overthrow of the Government of the United States, did you not?

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. Why?

Mr. NOWAK. I decline. I don't have to—

Mr. ARENS. Mr. Chairman, I respectfully suggest he be ordered and directed to answer the question if he just declines to answer and that is all.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. I decline to answer the question on the grounds of my constitutional privileges as stipulated in the fifth amendment. In fact, in the first amendment, too.

Mr. ARENS. What is the Hobbs bill? What was the Hobbs bill?

(The witness confers with his counsel.)

Mr. ARENS. Do you recall what the Hobbs bill was?

(The witness confers with his counsel.)

Mr. NOWAK. Can you refresh my recollection?

Mr. ARENS. Well, perhaps this exhibit would. And I hope, after your recollection is refreshed, you will tell us a little bit about it.

This exhibit is entitled "Defeat the Hobbs Bill."

One of the speakers at this mass meeting that is to be held in Detroit is Stanley Nowak who was then a candidate for Congress, and former State Senator.

Look at this and tell us whether or not that refreshes your recollection with reference to the Hobbs bill.

(Document marked "Exhibit No. 353," see appendix, p. 7722.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. We have here a photostatic copy of a letterhead of the American Committee for Protection of Foreign Born announcing a national conference here in Chicago. And the chairman of this National Conference of the American Committee for Protection of Foreign Born who signs this letter is the Honorable Stanley Nowak, national chairman.

Look at this and see if this refreshes your recollection with reference to your chairmanship of that conference.

(Document marked "Exhibit No. 354," see appendix, p. 7723.)

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer the question. It is an improper question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. Mr. Chairman, because it is an improper question, I refuse to answer, and exercise my privileges, as I mentioned before, in the fifth amendment.

Mr. ARENS. If it is an improper question, why are you obliged to use the fifth amendment. Why don't you just say you won't answer it?

Mr. NOWAK. I said I won't answer it.

Mr. ARENS. Now did you participate as one of the leaders in a conference of the American Committee for Protection of Foreign Born in 1949 for the purpose of ending hysteria or a conference against deportation hysteria?

Do you recall that?

Mr. NOWAK. I decline to answer.

Mr. ARENS. You were one of the ringleaders of that conference, were you not?

Mr. NOWAK. I decline.

Mr. ARENS. Now we invite your attention to a reproduction of an article from the Daily Worker. A number of leading people endorse the Progressive Party movement, including Michigan State Senator Stanley Nowak.

Look at that and see if you can't help this committee.

(Document marked "Exhibit No. 355," see appendix, p. 7724.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. Why?

Mr. NOWAK. I decline.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. NOWAK. Mr. Chairman, once again I decline on my constitutional grounds as stipulated in the fifth amendment.

I have said that before, and that is my explanation.

Mr. ARENS. You have been a great leader for civil rights, haven't you?

(The witness confers with his counsel.)

Mr. NOWAK. Of course. Yes.

Mr. ARENS. And you are not ashamed of anything you did to promote civil rights in this country, are you?

Mr. NOWAK. I am not ashamed: no.

Mr. ARENS. Then tell this committee while you are under oath whether or not you are and have been one of the officers of the Civil Rights Congress.

Look at this exhibit while you answer.

(Document marked "Exhibit No. 356," see appendix, p. 7725.)

Mr. NOWAK. I decline to answer the question because I consider this whole procedure and the question as improper.

Mr. JACKSON. And what else?

Mr. ARENS. Do you have no other reasons?

Mr. JACKSON. No other reason?

Mr. NOWAK. No.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. NOWAK. I refuse to answer the question, relying on the privileges that I have in the fifth amendment.

Mr. ARENS. You haven't lost confidence in the courts of the United States, have you?

Mr. NOWAK. I don't have to answer that question. I have confidence in them.

Mr. ARENS. You have confidence in the courts.

It is a curious thing here. The Communist Daily Worker of November 8, 1949, immediately after the 11 Communist traitors were convicted, quotes you as saying the people had lost confidence in courts. Look at that article there and see if you can't refresh your recollection.

Perhaps you were misquoted. We don't know.

See if you can't tell us whether or not you did have confidence in the courts when the 11 Communist traitors were convicted.

(Document marked "Exhibit No. 357," see appendix, p. 7726.)

Mr. NOWAK. I decline to answer that question for obvious reasons.

Mr. ARENS. You have been a great humanitarian to get amnesty for certain people, haven't you?

Mr. NOWAK. Yes.

Mr. ARENS. Who were the persons for whom you tried to get amnesty?

Mr. NOWAK. I decline to answer.

Mr. ARENS. We have a letterhead of the National Committee To Win Amnesty for the Smith Act Victims. Those are the Communist traitors that have been put in the penitentiary under the Smith Act for conspiring to overthrow this Government by force and violence. And this letterhead contains the names of a number of people who were leading lights and officers, promoters of this organization, including Stanley Nowak.

Look at this letterhead and see if you can't help the committee by telling us if those are the people for whom you have been, purely by humanitarian impulses, trying to win amnesty.

(See exhibit No. 78, appendix, p. 7227.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. We have asked you, have we not, if you were vice chairman of the American Committee for Protection of Foreign Born?

Mr. NOWAK. I decline to answer that question.

Mr. ARENS. Why?

Mr. NOWAK. I decline.

Mr. ARENS. You have been active in still another group, haven't you—that is the Conference of Deportee Defense Committees?

A number of defense committees in 1951 held a conference here in Chicago, and one of the leading lights of that conference, as identified here in the Communist Daily Worker of March 21, 1952, is a Stanley Nowak.

Look at this document and see if the Communist Daily Worker was right or if it was wrong or whether or not it was a stool pigeon.

(Document marked "Exhibit No. 358," see appendix, p. 7727.)

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. Now you have been pretty active in legislative matters on the national scene, have you not, Mr. Nowak?

Mr. NOWAK. I decline to answer the question.

Mr. ARENS. You are not ashamed of anything you did for the uplift and good of humanity?

Mr. NOWAK. No.

Mr. ARENS. By calling for the repeal of any legislation you deemed unwholesome?

Mr. NOWAK. Anything I do or say is public knowledge and a public record.

Mr. ARENS. And you, of course, would not hesitate to tell us about it, would you?

(The witness confers with his counsel.)

Mr. NOWAK. Voluntarily under proper circumstances; yes.

Mr. ARENS. Would those circumstances be when you are released from the obligation of your oath to tell the truth?

(The witness confers with his counsel.)

Mr. NOWAK. You see whenever I served, Mr. Chairman, on legislative committees like yours I have never seen proceedings like this one.

This is the only committee, legislative committee, that follows such proceeding.

And because of the——

Mr. ARENS. Let me ask you the question——

Mr. NOWAK. Let me finish.

Mr. ARENS. If you and your fellow Communists ever took over this Government would you run a proceeding like this?

Stand up and tell this Committee on Un-American Activities whether or not you are the Stanley Nowak listed here as the outstanding trade unionist leader of the Polish-American people, former State senator of Michigan, minority floor leader calling for the repeal of the Walter-McCarran Act, all under the auspices of the New England Committee for Protection of Foreign Born.

(See exhibit No. 206, appendix, p. 7457.)

Stand up and tell this committee of the American Government whether or not you are that Stanley Nowak.

Mr. NOWAK. First of all, this kind of a speech will make no effect upon me. It makes no effect on anybody.

You are not frightening me. I am not afraid. I am an experienced man. I will answer quietly——

Mr. ARENS. You have had experience in the Communist conspiracy.

Mr. NOWAK. Never mind. I resent that.

Mr. ARENS. You don't want to talk about that.

Talk about this exhibit and tell this Committee on Un-American Activities whether or not you are the Stanley Nowak that appeared before the New England Committee for Protection of Foreign Born urging the repeal of the Walter-McCarran Act.

(The witness confers with his counsel.)

Mr. NOWAK. I refuse to answer your question.

Mr. ARENS. Why?

Mr. NOWAK. I don't have to explain why.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. Mr. Chairman, I refuse to answer the question because these are improper questions.

Mr. ARENS. And have you got some other reason?

Mr. NOWAK. I rely upon the constitutional rights as stipulated in the fifth amendment.

I resent this interruption. I resent this behavior. If you think you are intimidating me you are badly mistaken.

Mr. ARENS. We are not trying to intimidate you at all.

We lay before you a copy of the Communist Daily Worker of May 12, 1953, reporting a Cleveland banquet. It says "Stanley Nowak will be honored here at a banquet." He is touring the country fighting for repeal of the Walter-McCarran Act. The banquet is sponsored by another organization, the Ohio Committee for Protection of Foreign Born.

Look at this article and see if that is one of the organizations that you have been speaking before, as you said in one of your earlier observations here today, that you were a speaker for various organizations. Maybe you could help this committee.

(Document marked "Exhibit No. 359," see appendix, p. 7427.)

(The witness confers with his counsel.)

Mr. NOWAK. My answer should be obvious. I refuse to answer a question concerning whether I have a right to speak.

I have a right to speak.

Mr. ARENS. There has been no suggestion that you don't have a right to speak. In fact, we want you to speak. We want you to do a little more talking than you are now.

Tell this committee. Go on and speak and tell this committee whether or not you are the Stanley Nowak that addressed that Ohio Committee for Protection of Foreign Born.

Speak.

Tell us while you are under oath.

Mr. NOWAK. I will refuse to answer that question. You know the reason why. You put that question.

Mr. ARENS. Of course.

But I want the record to reflect it, Mr. Nowak.

Tell us why you refuse to answer that question.

(The witness confers with his counsel.)

Mr. NOWAK. I refuse to answer the question.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. NOWAK. Mr. Chairman, I refuse to answer that question on my constitutional grounds as stipulated, both, as I said often, on the first and fifth amendments.

Mr. ARENS. We still have another article, this one about your speaking to the Northern California Committee for Protection of Foreign Born.

Hon. Stanley Nowak, former State senator and target of the Justice Department in denaturalization proceedings, is going to speak out there, according to the Communist Daily Worker or the Communist Daily People's World, I beg your pardon, of Wednesday, May 27, 1953.

Look at this article and tell the Committee on Un-American Activities whether or not you are the Stanley Nowak that spoke out there at the Northern California Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 360," see appendix, p. 7728.)

Mr. NOWAK. I refuse to answer the question.

I have a right to speak, and this committee has no right to question my right to speak.

Mr. ARENS. Of course, you have a right to speak. That is what we want you to do. We want you to speak now and tell us the truth.

Are you the Stanley Nowak that made that speech out there?

Mr. NOWAK. You release me from subpoena and I will freely tell you what I think about it.

Mr. ARENS. Let's just get that point clear, too.

You realize, Mr. Nowak, that you are presently under oath, do you not, before this committee?

Mr. NOWAK. I am. I realize that.

Mr. ARENS. You realize also if you lie to the committee you can be prosecuted for perjury, do you not?

Mr. NOWAK. I am fully aware of it.

Mr. ARENS. Then tell this committee while you are under oath whether or not you are a Communist.

Mr. NOWAK. I refuse to answer the question.

Mr. ARENS. After you are released from your oath and released from the pains and penalties of perjury, do you intend to step out in the hall or go back to Detroit or make a public statement: "Of course, I am not a Communist, but I wasn't going to tell that witch-hunting, Fascist, redbaiting House Un-American Activities Committee that I wasn't a Communist?"

Do you propose to do that?

(The witness confers with his counsel.)

Mr. NOWAK. My answer is just to laugh at you because you are a comical——

Mr. JACKSON. I would say that before some of the Poles who are suffering under the atrocities of the Russians in Poland get a hold of it, both in Detroit and elsewhere, it might be a good idea to make it clear to the world that you are not a Communist.

Mr. NOWAK. What do you know about Poland, Mr. Jackson?

Mr. JACKSON. I know a great deal about what the——

Mr. NOWAK. You know nothing about Poland.

Mr. JACKSON. Would you like to comment and give your opinion on Russian activities in Poland?

Mr. NOWAK. Have you brought me here to testify on the Russian activities in Poland?

Mr. JACKSON. I am inviting you to do it.

You speak all over the country. Make a speech now about Poland.

Mr. NOWAK. I will challenge you to a public debate.

Mr. JACKSON. The only time I would talk to you at all is when you are under oath. I wouldn't believe you under any other circumstances.

Mr. NOWAK. Because you are afraid to meet me in a public debate.

Mr. ARENS. Since we have gotten into this subject of your knowledge of Poland, tell this committee whether or not you have been in contact with the Polish consulate in Detroit.

(The witness confers with his counsel.)

Mr. NOWAK. I refuse to answer the question.

Mr. ARENS. Now we have still another exhibit here with reference to Stanley Nowak.

He is going to make a speech on the McCarran Act victims, according to this article in the Communist Daily People's World, under date of June 5, 1953.

Why don't you tell this committee while you are under oath, Mr. Nowak, and while you can be prosecuted if you lie to the committee, whether or not you are this Nowak?

(Document marked "Exhibit No. 361," see appendix, p. 7729.)

Mr. NOWAK. I told this committee many times, today and on previous occasions, why I refuse to answer such questions. And I refuse to answer this question.

And it ought to be public knowledge to you people you are wasting time, you are wasting public funds for these kinds of investigations.

You are getting nowhere.

Mr. JACKSON. Mr. Chairman, I for once agree with the witness. I think it is an absolute waste of time to carry on.

The facts of his association have been so well established that there is no further use of proceeding.

I suggest he be released and get on to another witness unless counsel has some overriding matter.

Mr. ARENS. We have several other exhibits, Mr. Chairman, identifying this witness with some activities of various committees of the Communist Party.

These exhibits have already been identified in the record, but we felt that we ought to at least invite them to the attention of the witness in case he wants to deny them.

Mr. JACKSON. In case what?

Mr. ARENS. He might want to deny them.

One of these is an article in the Communist Daily Worker of November 16, 1953, with reference to a big rally of the American Peace Crusade, Stanley Nowak, speaker.

(Document marked "Exhibit No. 362," see appendix, p. 7730.)

Please look at that exhibit, Mr. Nowak, while you are under oath and tell this committee whether or not you are he.

Mr. NOWAK. I refuse to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. JACKSON. No questions.

Mr. SCHERER. Mr. Nowak, you are interested in striking from the McCarran-Walter Immigration Act those provisions which make it possible to deport those who have been active in the Communist Party of the United States, are you not?

(The witness confers with his counsel.)

Mr. NOWAK. Mr. Chairman, during this whole hearing you did not allow me to express my opinion on the Walter-McCarran Act at all.

(The witness confers with his counsel.)

Mr. NOWAK. I want to point out this, that, in answering to the question, I agree with thousands of other people that the entire act should be rewritten.

Mr. SCHERER. In rewriting the act, do you want to leave out those provisions of the McCarran-Walter Act which give to this Government the right to deport individuals like you who have been engaged in Communist Party activities?

(The witness confers with his counsel.)

Mr. NOWAK. It is obvious that I can do nothing else but to decline a question that is worded as the one that you asked.

Mr. SCHERER. I will leave out any reference to you.

Are you interested then, Witness, in eliminating, in striking out of the Walter-McCarran Immigration Act those provisions which enable us to deport aliens who have been—

Wait a minute. Let me finish.

(Continuing:) Aliens who have been active in the Communist Party in the United States?

(The witness confers with his counsel.)

Mr. NOWAK. I decline to answer that question.

Mr. SCHERER. I thought you would decline to answer.

Now, the fact is that you were naturalized. You are a naturalized citizen. Is it not?

Mr. NOWAK. I am.

Mr. SCHERER. And the Department of Justice has commenced proceedings to have you denaturalized. In fact, you have been ordered denaturalized, haven't you, and you have appealed that decision? Isn't that right?

Mr. NOWAK. Correct.

Mr. SCHERER. All right.

Now, if you can succeed in having the provisions of the McCarran-Walter Act stricken, those provisions which provide for the deportation of aliens who have been engaged in Communist activities in this country, then you will be able to stay here, won't you?

Mr. NOWAK. Again, the way you worded the question, I have no choice but to decline to answer.

Mr. SCHERER. It seems obvious that——

Mr. NOWAK. Yes; it is obvious, but I can't answer a loaded question.

Mr. SCHERER. It is not a loaded question. It is simple as day following night that your interest is in staying in this country, because if they had not commenced proceedings to denaturalize you, I certainly would have asked that this committee recommend to the Department of Justice that you be denaturalized and deported because you were an alien that came here and had the benefits of citizenship, and we can see from the testimony today how you used the citizenship that was given to you.

(The witness confers with his counsel.)

Mr. FRAZIER. Are there any other questions?

Mr. ARENS. No further questions, Mr. Chairman.

Thank you, sir.

Mr. FRAZIER. The witness is dismissed.

Wait a minute, Mr. Counsel. How many more witnesses do you have?

Mr. ARENS. Two more today. We could finish in another half hour.

Mr. FRAZIER. Under those conditions I want, under authority granted me, to establish a subcommittee composed of Mr. Scherer, Mr. Jackson and myself as another subcommittee to hear these other two witnesses.

Call your next witness.

Mr. ARENS. Dolores Storich.

Kindly come forward.

Kindly remain standing while the chairman administers the oath to you.

(Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear that the testimony about to be given will be the truth and the whole truth, so help you God?

Mrs. STORICH. I do.

**TESTIMONY OF MRS. DOLORES STORICH, ACCOMPANIED BY
COUNSEL, GEORGE W. CROCKETT, JR., DETROIT, MICH.**

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. STORICH. Dolores Storich. I am an officeworker.

Mr. ARENS. Where do you work?

Mrs. STORICH. I work for Clean Coverall Supply in Detroit, Mich.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. STORICH. That is right.

Mr. ARENS. You are represented by counsel?

Mrs. STORICH. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. CROCKETT. George W. Crockett, Jr., attorney, 3220 Cadillac Tower, Detroit, Mich.

Mr. ARENS. When were you born?

(The witness confers with her counsel.)

Mrs. STORICH. January 1, 1921.

Mr. ARENS. Where?

Mrs. STORICH. In Detroit, Mich.

Mr. ARENS. Under what name?

(The witness confers with her counsel.)

Mrs. STORICH. Dolores Leutchman.

Mr. ARENS. Are you now a Communist?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer that question.

Mr. ARENS. Why?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer that question.

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer that, relying on the fifth amendment.

Mr. ARENS. Do you know a man by the name of Stephen J. Schemanske?

Mrs. STORICH. I refuse to answer that question.

Mr. ARENS. Why?

Mrs. STORICH. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer, relying on the fifth amendment.

Mr. ARENS. Mr. Schemanske testified this morning that while an undercover agent for the Federal Bureau of Investigation he knew you as a Communist.

Was he lying or telling the truth?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer, relying on the fifth amendment.

Mr. ARENS. Are you one of the leading lights of the Michigan Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer that question.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are one of the leaders of the Michigan Committee for Protection of Foreign Born.

Mrs. STORICH. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. STORICH. I refuse to answer that, relying on the fifth amendment.

Mr. ARENS. Did you go to Washington in March of 1955 for any purpose?

Mrs. STORICH. I refuse to answer.

Mr. ARENS. You went to Washington in March of 1955 as a part of a lobby delegation, did you not, to contact the various Congressmen and Senators to pressure them to emasculate the Walter-McCarran Act; isn't that true?

Mrs. STORICH. I refuse to answer.

Mr. ARENS. Do you know or did you know Congressman Ruth Thompson, a very fine Congressman from Michigan? Or Congresswoman, I should say, from Michigan.

(The witness confers with her counsel.)

Mrs. STORICH. How long has she been in Congress?

Mr. ARENS. Some years.

In March of 1955 did you go to various offices including the office of Representative Ruth Thompson from Michigan, and represent to her that she should participate in the movement to repeal the security provisions of the Walter-McCarran Act?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. STORICH. I went to Washington. I visited some Congressmen, but I do not remember visiting Miss Thompson. I don't know if I heard of her.

Mr. ARENS. Tell us under whose auspices you went to Washington and when.

Mrs. STORICH. I refuse to answer.

Mr. ARENS. When did you go to Washington? What year? Was that in 1955?

(The witness confers with her counsel.)

Mrs. STORICH. It is possible it could have been.

Mr. ARENS. What was your purpose in going to Washington?

(The witness confers with her counsel.)

Mrs. STORICH. I went to petition my Congressman to seek repeal of the Walter-McCarran Act.

Mr. ARENS. Did you see a number of Congressmen?

(The witness confers with her counsel.)

Mrs. STORICH. I remember seeing 2 or 3.

Mr. ARENS. And did you tell them the committee that you were identified with? Of did you just tell them that you were private citizen Dolores Storch coming down out of public interest to enlist their support to repeal the McCarran-Walter Act?

(The witness confers with her counsel.)

Mrs. STORICH. I don't recall.

Mr. ARENS. Who paid your expenses?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer.

Mr. ARENS. Why?

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer.

Mr. SCHERER. Do you deny that you did not disclose to any of the Members of Congress whom you visited that you were a member of the Communist Party?

Mrs. STORICH. I refuse to answer.

Mr. ARENS. How many people accompanied you on this visit to Washington?

Mrs. STORICH. I don't recall.

Mr. ARENS. Were there as many as a dozen?

(The witness confers with her counsel.)

Mr. ARENS. You understand we recognize your right and commend anyone for coming to Washington to express their views to their Congressmen. We want you to tell us whether or not when you expressed your views to the Congressmen you told them you were a member of the Communist conspiracy and under the discipline of the Michigan Committee for Protection of Foreign Born.

Mrs. STORICH. I refuse to answer.

May I have a glass of water?

Mr. ARENS. How many people were with you on this sojourn?

Mrs. STORICH. May I have a glass of water, please?

Mr. ARENS. Yes.

Just tell us how many were with you.

Could you tell us how many were with you?

Mrs. STORICH. I want a glass of water.

(The witness confers with her counsel.)

Mrs. STORICH. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. STORICH. Several. I do not remember the exact number.

Mr. ARENS. Were there as many as ten?

(The witness confers with her counsel.)

Mrs. STORICH. I don't remember.

Mr. ARENS. Were there as many as five?

Mrs. STORICH. I don't remember.

Mr. ARENS. Were there as many as two other persons?

(The witness confers with her counsel.)

Mrs. STORICH. There were more than two.

Mr. ARENS. By what mode of transportation did you go?

(The witness confers with her counsel.)

Mrs. STORICH. As far as I am concerned, I motored down. I drove down.

Mr. ARENS. Was it as part of a group or were you part of a group that went from Detroit and other groups coming from another part of the country, to your knowledge?

(The witness confers with her counsel.)

Mrs. STORICH. I decline to answer.

Mr. ARENS. We lay before you the proceedings of the American Committee for Protection of Foreign Born of December 1954, in which Dolores Storich of Detroit is one of the leaders of a panel group.

Kindly look at that document and see if you can help this Committee on Un-American Activities.

Mrs. STORICH. I decline to answer.

Mr. ARENS. Are you now a member of the Michigan Committee for Protection of Foreign Born?

Mrs. STORICH. I decline to answer.

Mr. ARENS. Are you now a member of the American Committee for Protection of Foreign Born?

Mrs. STORICH. I decline to answer.

Mr. ARENS. Are you now a Communist?

Mrs. STORICH. I decline to answer.

Mr. ARENS. Do you know a woman by the name of Bereniece Baldwin?

Mrs. STORICH. I decline to answer.

Mr. ARENS. Bereniece Baldwin likewise, in addition to the witness who testified today—Mr. Schemanske—took an oath before this committee and identified you as a member of the Communist conspiracy.

Was she lying or was she telling the truth?

Mrs. STORICH. I decline to answer.

Mr. ARENS. Mr. Chairman. I respectfully suggest that concludes the staff interrogation of this witness.

Mr. FRAZIER. You are directed to answer.

Mrs. STORICH. I decline, relying on the fifth amendment.

Mr. FRAZIER. Is there anything else? Are you through?

Mr. ARENS. We are through with her; yes, sir.

Mr. JACKSON. No questions, thank you.

Mr. FRAZIER. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. FRAZIER. I have no questions.

The witness is dismissed.

Mr. ARENS. Tillie Carle Rogers.

Kindly come forward.

Remain standing while the chairman administers the oath to you, please.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony you are about to give in this hearing will be the truth and the whole truth, so help you God?

Mrs. ROGERS. I do.

**TESTIMONY OF MRS. TILLIE ROGERS, ACCOMPANIED BY
COUNSEL, IRVING G. STEINBERG, CHICAGO, ILL.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. ROGERS. My name is Tillie Rogers. I reside at 3948 Jackson Boulevard. I am employed as an office worker.

Mr. ARENS. Where?

Mrs. ROGERS. I am apprehensive of that question in its present setting, and therefore invoke the fifth amendment not to testify to that.

Mr. ARENS. Do you honestly feel if you told this committee where you worked you would be giving information that might be used against you in a criminal proceeding?

Mrs. ROGERS. Again I decline to answer that question, on the same grounds.

Mr. ARENS. You are represented by counsel?

Mrs. ROGERS. I am, sir.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. STEINBERG. Irving G. Steinberg, 180 West Washington, Chicago.

Mr. ARENS. Are you a married lady? Is it Miss or Mrs. Rogers?

Mrs. ROGERS. Mrs.

Mr. ARENS. And your husband's name?

Mrs. ROGERS. I decline to answer that question and invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer that question.

(The witness confers with her counsel.)

Mrs. ROGERS. I am apprehensive of that question in the present setting, and therefore decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Are you now a Communist?

Mrs. ROGERS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Lee Lundgren? L-u-n-d-g-r-e-n.

(The witness confers with her counsel.)

Mrs. ROGERS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Lee Lundgren testified before this committee that he knew you as a Communist. Was he lying or was he telling the truth?

Mrs. ROGERS. I invoke the fifth amendment as my right not to testify to that question.

Mr. ARENS. Do you know a man or a person by the name of Anzelm Czarnowski? A-n-z-e-l-m C-z-a-r-n-o-w-s-k-i.

Mrs. ROGERS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Mr. Czarnowski testified before the Subversives Activities Control Board just last year that he knew you as a Communist.

Was he lying or telling the truth?

Mrs. ROGERS. Again I invoke the fifth amendment as the basis of my right to refuse to testify to that question.

Mr. ARENS. What was your maiden name, please?

(The witness confers with her counsel.)

Mr. STEINBERG. Will you repeat the question?

Mrs. ROGERS. Will you please repeat that question?

Mr. ARENS. Your maiden name?

(The witness confers with her counsel.)

Mrs. ROGERS. I am apprehensive of answering that question in the present atmosphere, and therefore invoke the fifth amendment again.

Mr. ARENS. Well, have you gone under the name of Tillie Carle?

Mrs. ROGERS. I have already answered.

Mr. ARENS. C-a-r-l-e?

Mrs. ROGERS. I have already answered that question.

Mr. ARENS. Answer it again.

Mr. SCHUERER. I ask that the witness be directed to answer as to what her maiden name was.

Mr. FRAZIER. You are directed to answer the question, what your maiden name was.

(The witness confers with her counsel.)

Mrs. ROGERS. I decline to answer that question on the grounds of the fifth amendment, which specifies that I shall not be compelled to testify against myself.

Mr. ARENS. We lay before you a photostatic copy of "Review of the Year 1947" of the American Committee for Protection of Foreign Born.

It says here that the Midwest Committee for Protection of Foreign Born has certain offices and certain officers, including Tillie Carle, executive secretary. That is the Midwest Committee for Protection of Foreign Born. That is a new one on this record today, at least.

Please look at that document and tell this committee whether or not you are accurately designated as executive secretary of the Midwest Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 363," see appendix, pp. 7731-7738.)

(The witness examines document and confers with her counsel.)

Mrs. ROGERS. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you know Abner Green?

Mrs. ROGERS. Again I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Well, Abner Green, one of the Communist comrades, one of the agents of the conspiracy, before the Subversive Activities Control Board testified, when they had the American Committee for Protection of Foreign Born up for citation, that the first secretary of the Midwest Committee was Tillie Carle.

Was Abner Green lying about you?

Mr. STEINBERG. How many questions in that?

Mr. ARENS. Just that one question, Counsel.

Was Green lying about you when he said that you were the first executive secretary of the Midwest Committee for Protection of Foreign Born?

Mrs. ROGERS. I invoke the fifth amendment as the basis of my right to refuse to testify to that question.

Mr. ARENS. We have a report of the mass meeting of the Midwest Committee for Protection of Foreign Born held in 1948 in Chicago. It lists Tillie Carle as one of the speakers of this group.

(The witness confers with her counsel.)

Mr. ARENS. Kindly tell this committee whether or not you were a speaker of the Midwest Committee for Protection of Foreign Born held in Chicago in 1948.

(The witness confers with her counsel.)

Mrs. ROGERS. Would you repeat the date of that?

Mr. ARENS. Yes. It was 1948.

I am sure, having gotten that more specific designation, you will be able to help us; 1948, May 23, in Chicago.

Mrs. ROGERS. Would you tell me the time of that?

Mr. ARENS. It was an evening meeting. Admission was \$1. It was a mass meeting. The first anniversary of the Midwest Committee for the Protection of Foreign Born.

Does that ring a bell? Does that help you? If so, we expect you to answer the question.

(The witness confers with her counsel.)

Mrs. ROGERS. I must decline to answer that question on the grounds of both the fifth amendment and the first amendment.

Mr. ARENS. Now you have been active in not only trying to get the McCarran-Walter Act repealed but you have also been active in getting a number of other pieces of legislation repealed, have you not, by the Civil Rights Congress?

(The witness confers with her counsel.)

Mrs. ROGERS. I decline to answer that question, and I refer to the fifth amendment.

Mr. ARENS. Are you one of the leading lights of the Civil Rights Congress up there?

Mrs. ROGERS. I must decline to answer that question on the basis of the fifth amendment.

(The witness confers with her counsel.)

Mr. ARENS. We lay before you a photostatic copy of The Lamp (December 1948-January 1949) of the American Committee for Protection of Foreign Born in which they set forth the new officers of the Midwest Committee for Protection of Foreign Born.

Tillie Carle Rogers has just resigned, and they have got a new executive secretary—Mildred Treffman.

Did you know Mildred Treffman?

(Document marked "Exhibit No. 361," retained in committee files.)

(The witness examines document and confers with her counsel.)

Mrs. ROGERS. Would you repeat your question?

Mr. ARENS. Do you know Millie Treffman, your successor as executive secretary of the Midwest Committee for Protection of Foreign Born? Did you know her?

(The witness confers with her counsel.)

Mr. ARENS. We thought, if you did, you might be able to tell us whether she was a Communist and help this committee and your Government in its effort to rout out the Communist conspiracy.

Mrs. ROGERS. I must again decline to answer.

Mr. ARENS. You are under no compulsion to do it unless you actually fear that by giving a truthful answer to that question you

would be supplying information which would be used against you and could be used against you in a criminal proceeding.

Mrs. ROGERS. Well, I can only assume that, from the proceedings that have been going on, the conduct of the committee is such as not to hold impartial hearings. And, therefore, I decline to answer both on the grounds of the first amendment and the fifth.

Mr. ARENS. Thank you, ma'am.

Now we have a photostatic copy of the letterhead of the Civil Rights Congress of Illinois, listing one of the leading lights of the executive board as Tillie Carle.

Look at this document and see if you can't help the Committee on Un-American Activities by verifying the authenticity of that document.

(Document marked "Exhibit No. 365," see appendix, p. 7739.)

(The witness and her counsel examine document.)

Mr. STEINBERG. The first is Jane Rogers.

Mr. ARENS. Just answer the question.

Mr. STEINBERG. Will you repeat the question?

Mr. ARENS. Are you the Tillie Carle in that document?

Mrs. ROGERS. I invoke the fifth amendment, and I decline to answer.

Mr. ARENS. We have a reproduction of a bulletin of the Communist newspaper, the Chicago Star, listing the officers and board of directors of this publication.

According to this document, you are, or you were, the circulation manager of the Chicago Star.

Would you kindly look at this document and tell us whether or not you are accurately described there as circulation manager of the Chicago Star?

(The witness examines document and confers with her counsel.)

(Committee members present: Representatives Frazier, Jackson, and Scherer.)

Mrs. ROGERS. It would seem——

(The witness confers with her counsel.)

Mr. STEINBERG. Will you show us her name, please?

(Mr. Appell indicates.)

(The witness confers with her counsel.)

Mrs. ROGERS. It would seem to me that this question is **highly** irrelevant in line with the stated principles when you opened the session this morning. And on the basis particularly of the first amendment, I decline to answer that question. And I further decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Now we lay before you a bulletin issued with respect to the anniversary celebration of Haym Salomon Center under the auspices of the 24th Ward Club of the Communist Party.

And here one of the participants of this group—in fact, the master of ceremonies—is Tillie Carle.

Look at this document and see if that refreshes your recollection with reference to your participation in this festive occasion.

(Document marked "Exhibit No. 366a, b," see appendix, pp. 7740, 7741.)

(The witness and her counsel examine document.)

Mrs. ROGERS. I decline to answer this question on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

We thank you for your testimony.

Mr. FRAZIER. The witness will be dismissed.

Mr. ARENS. Mr. Chairman, may I let the record reflect that we have one other witness who was under subpoena—Mildred Kornacker. But her counsel presented a doctor's certificate. So we are not calling her. It is a doctor's certificate from a man whom we understand is a reputable doctor, to the effect that she is presently indisposed because of a throat condition, a very bad cold, or tonsilitis, and not able to be with us today.

Mr. FRAZIER. We will recess until 10 in the morning.

The committee will be in recess until 10 o'clock tomorrow morning.

(Whereupon, at 5:15 p. m., the subcommittee was recessed, to be reconvened at 10 a. m., Tuesday, December 4, 1956. Committee members present: Representatives Frazier, Jackson, and Scherer.

COMMUNIST POLITICAL SUBVERSION

TUESDAY, DECEMBER 4, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARING

The subcommittee met, pursuant to recess, at 10:05 a. m., in room 209, Federal Courthouse, Chicago, Ill., Hon. James B. Frazier, Jr. (chairman of the subcommittee) presiding.

Committee members present: Representatives James B. Frazier, Jr., of Tennessee; Harold H. Velde, of Illinois; and Donald L. Jackson, of California.

Staff members present: Richard Arens, director; Donald T. Appell, investigator; and Richard S. Weil, staff member.

(Present at the time of convening: Representatives Frazier, Velde, and Jackson.)

Mr. FRAZIER. The committee will come to order.

Let the record show that a quorum of the subcommittee is present—Mr. Velde, Mr. Jackson, and myself.

Call your first witness.

Mr. ARENS. Nathan E. Caldwell, Jr., please come forward.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, so help you God?

Mr. CALDWELL. I do.

TESTIMONY OF NATHAN E. CALDWELL, JR., ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CALDWELL. Nathan E. Caldwell, Jr., 4752 Champlain Avenue. I am not employed.

Mr. ARENS. You are appearing today, Mr. Caldwell, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. CALDWELL. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. CALDWELL. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. STEINBERG. My name is Irving G. Steinberg, 180 West Washington.

Mr. ARENS. Mr. Caldwell, I understood you to say you are not employed.

Mr. CALDWELL. That is what I said, yes.

Mr. ARENS. What was your last employment, please?

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I am apprehensive about answering that question in this setting. Therefore, I decline to answer under the privilege of the fifth amendment.

Mr. ARENS. Where were you born?

Mr. CALDWELL. In Chicago, Ill.

Mr. ARENS. When?

Mr. CALDWELL. March 9, 1929.

Mr. ARENS. Give us, if you please, just a thumbnail sketch of your education.

Mr. CALDWELL. I attended schools, in the public schools of Chicago, and attended Lincoln University of Pennsylvania, and Roosevelt University here in Chicago.

Mr. ARENS. Did you receive a degree?

Mr. CALDWELL. No, I haven't.

Mr. ARENS. When did you complete your education?

Mr. CALDWELL. I haven't completed it.

Mr. ARENS. Are you still attending school?

Mr. CALDWELL. Yes, I am.

Mr. ARENS. Now tell us, if you please, the principal employment which you have had since you reached adulthood.

(The witness confers with his counsel.)

Mr. CALDWELL. I give the same answer that I gave before to the previous question relating to employment.

(The witness confers with his counsel.)

Mr. ARENS. What answer is that?

Mr. CALDWELL. I am apprehensive of answering that question in this particular setting. Therefore, I decline to answer, invoking my rights under the fifth amendment.

Mr. ARENS. Is there any employment which you have had since you have reached adulthood concerning which you can tell this Committee on Un-American Activities without revealing information which might be used against you in a criminal proceeding?

Mr. CALDWELL. Mr. Chairman, I am apprehensive of answering that question, and invoke my rights under the fifth amendment.

I am not compelled to testify against myself.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the last principal question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. CALDWELL. I decline to answer the question, Mr. Chairman, invoking my rights under the fifth amendment, specifically that section which gives me the privilege of not being compelled to testify against myself.

Mr. ARENS. When did you last have employment?

Mr. CALDWELL. Mr. Chairman, I hate to——

It seems the point is being belabored.

I can only repeat that I am apprehensive of answering that question or similar questions in this particular setting. And I invoke my rights under the fifth amendment. And I cannot be compelled to testify against myself.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this record now reflect an order and direction by the chairman to this witness to answer the last principal question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question, invoking my rights under the fifth amendment.

I cannot be compelled to testify against myself.

Mr. ARENS. Now we lay before you a photostatic copy of the letterhead of the Midwest Committee for Protection of Foreign Born. This letterhead shows administrative secretary, Nathan Caldwell, Jr.

Please look at that letterhead and tell this committee whether or not you are accurately described as the administrative secretary of the Midwest Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 367," see appendix, p. 7742.)

(The witness examines document and confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, the question is irrelevant and immaterial to this hearing, and I decline to answer for those reasons and the further reason it violates my rights under the first amendment and the fifth amendment, and I will not be compelled to testify against myself.

Mr. ARENS. Would you accommodate the Committee on Un-American Activities, which is undertaking to disclose subversion in this country, by signing your name so that we could make a comparison of signatures? Would you kindly do that while you are under oath here? And help the committee?

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, my signature on the document that was placed before me did not appear there in any place, and I will not sign a blank piece of paper.

Mr. ARENS. Well, then, would you accommodate the Committee on Un-American Activities by verifying the authenticity of your signature appearing on a letter on the letterhead of the Midwest Committee for Protection of Foreign Born, Nathan Caldwell, administrative secretary? And this letter calls upon the recipients to urge them to telegraph the President with reference to the McCarran-Walter bill.

Please look at this letter now and see if you can accommodate the Committee on Un-American Activities by verifying the authenticity of the second signature appearing on this letter.

(Document marked "Exhibit No. 368," see appendix, p. 7743.)

(The witness examines document and confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question. The question is immaterial and irrelevant. And I further refuse to answer the question, basing myself on the rights given me under the first amendment of the Constitution and the fifth amendment of the Constitution, specifically in that I am not compelled to testify against myself.

Mr. ARENS. Now you will observe on that letter, which has just been laid before you, you are described as the administrative secretary of the Midwest Committee for Protection of Foreign Born.

I show you now a letterhead with your signature, in which you are described as the executive secretary, a little bit different title. And this letter invites the recipients to participate in a conference, a festival of nationalities and rally for the repeal of the Walter-McCarran Act.

Please look at this letter now and see if you can't help the Committee on Un-American Activities by verifying the authenticity of your signature and title as executive secretary under date of October 3, 1953.

(Document marked "Exhibit No. 369," see appendix, p. 7743.)

(The witness examines document and confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question for the grounds previously stated.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. ARENS. Do you know a man by the name of Abner Green?

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to name any individuals in this setting.

Mr. ARENS. Is he a stool pigeon?

Mr. CALDWELL. I decline to answer that question for the same reason.

Mr. ARENS. Is he an informer?

Mr. CALDWELL. I decline to answer that question for the same reason.

Mr. ARENS. You know, do you not, that Abner Green, as executive secretary of the American Committee for Protection of Foreign Born, came before the Subversive Activities Control Board early this year when the Subversive Activities Control Board was considering the citation of the American Committee for Protection of Foreign Born, and you know, do you not, that Abner Green testified before the Subversive Activities Control Board that he knew you and knew you as one of the officers of the Midwest Committee for Protection of Foreign Born?

Was Comrade Abner Green being a stool pigeon or was he just telling the truth when he said he knew you as an officer of the Midwest Committee for Protection of Foreign Born?

Mr. CALDWELL. Mr. Chairman, I object to the form of that question. Counsel is asking for several pieces of information in the guise of one question. If he wants to put one piece of information before me at a time—I object to the form of the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect an order and direction by the chairman to the witness to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question because it is improper, it is immaterial, and, further, it violates my rights under the first amendment of freedom of speech and association.

And I decline to answer, further, invoking the privilege of the fifth amendment, in that I cannot be compelled to testify against myself.

Mr. ARENS. I want to see if you can't help the Committee on Un-American Activities.

You know we are trying to develop factual information with reference to what the Communist conspiracy is doing to subvert the legislative program of the Government.

I have here a pamphlet, *Inform or Else*. It is a pamphlet which is written for the James Keller Defense Committee. According to the body of the pamphlet, James Keller is on trial and on supervisory parole because of his democratic sentiments. And he is being persecuted under the McCarran-Walter Act.

Please look at this pamphlet and tell the Committee on Un-American Activities if it is not a fact that the James Keller Defense Committee was created by the Midwest Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 370," see appendix, pp. 7744-7755.)

(The witness confers with his counsel.)

Mr. STEINBERG. Will you specify a date, please?

Mr. ARENS. I think the witness can tell by looking at it.

Mr. STEINBERG. I think you should specify a date.

Mr. ARENS. Counsel, the witness will be responsive to the question, I am sure.

Mr. STEINBERG. I am sorry.

Mr. CALDWELL. Mr. Chairman, this pamphlet that I have been asked to look at does not contain any date when it was published.

I would like to ask the committee counsel if he would be able to supply a date.

Mr. ARENS. Well, perhaps we can get at it a little differently.

Do you know James Keller, the man who is the subject of the pamphlet?

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, as I stated before, I will decline to identify individuals in this setting. Therefore, I decline to answer that question, invoking my privileges under the first and fifth amendments, and specifically refer to the privilege of not being able to be compelled to testify against myself.

Mr. ARENS. Did you participate in the establishment of the James Keller Defense Committee?

Mr. CALDWELL. I decline to answer that question.

Mr. ARENS. Now, are you registered, or have you ever been registered, under the Federal Lobbying Act?

Mr. CALDWELL. I decline to answer that question, Mr. Chairman, invoking my privileges under the first and fifth amendments. I cannot be compelled to testify against myself.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question. It is a matter of public record, and the witness knows it is.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. CALDWELL. I'm sorry.

Did the chairman address me while I was consulting counsel?

Mr. FRAZIER. Yes. I directed you to answer the question.

Mr. CALDWELL. I respectfully decline to answer the question, Mr. Chairman, invoking my privileges under the first amendment, and those same privileges under the fifth amendment, that I cannot be compelled to testify against myself.

Mr. JACKSON. Mr. Chairman?

Mr. FRAZIER. Yes, Mr. Jackson.

Mr. JACKSON. May I ask for an additional direction on the question?

The Federal Lobbying Act is a perfectly legal act passed by the Congress of the United States.

By the widest stretch of the imagination, compliance with the Federal law would not place in jeopardy any person who complied with the provision of that law.

I am not satisfied with the answer of the witness to this question. Therefore, I ask that he again be directed to answer the question.

(The witness confers with his counsel.)

Mr. FRAZIER. You are directed to answer the question.

Mr. STEINBERG. I wish to point out, by the same reasoning, that noncompliance with the law may subject him to criminal prosecution.

Mr. FRAZIER. You understand the rules.

You may advise your witness, but you are not permitted to make a legal argument or any other kind of argument to the committee.

Mr. Jackson was merely endeavoring to clarify the situation for your client.

Mr. CALDWELL. Am I directed to answer?

Mr. FRAZIER. And the position he places himself in.

Mr. CALDWELL. Am I directed to answer that question?

Mr. FRAZIER. Yes, you are directed to answer.

Mr. CALDWELL. I decline to answer that question, Mr. Chairman, invoking my privileges under the first amendment, and invoking my privileges under the fifth amendment of the Constitution, in that I am not compelled to testify against myself.

Mr. ARENS. I now invite your attention to an original bulletin of the American Committee for Protection of Foreign Born, in which it states that the Midwest Committee for Protection of Foreign Born is campaigning to secure several thousand signatures and to get several thousand post cards sent to the Senate and House Committees on the Judiciary on immigration matters.

Please look at this bulletin and tell this committee whether or not this gives a true and accurate and correct recitation of the facts to your certain knowledge.

(Document marked "Exhibit No. 371," see appendix, p. 7756.)

(The witness examines document and confers with his counsel.)

Mr. STEINBERG. Could you repeat the last part of the question?

(The record was read by the reporter.)

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question, invoking my privileges under the first amendment, guaranteeing me freedom of association and speech, and further invoking my privilege under the fifth amendment, in that I am not compelled to testify against myself.

(The witness confers with his counsel.)

Mr. CALDWELL. And on the further ground that it is irrelevant; in my opinion, is irrelevant to this inquiry.

Mr. ARENS. Now I invite your attention, if you please, to another exhibit. It is a letterhead of the Midwest Conference To Repeal the Walter-McCarran Law and Defend the Right of Foreign Born Americans. This letterhead contains the officers, including an administrative secretary, Nathan Caldwell, Jr.

Please look at this letterhead and tell this committee whether or not you are accurately described.

(Document marked "Exhibit No. 372," retained in committee files.)

(The witness examines document and confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question on the grounds previously stated.

Mr. ARENS. On May 18 did you attend a Bill of Rights Conference called by the Midwest Committee for Protection of Foreign Born held here in Chicago?

(The witness confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question, invoking my privileges under the first and the fifth amendments.

Mr. ARENS. At this conference you made a little speech, didn't you, in which you said, among other things:

It is the American people, native as well as foreign-born, who are the victims of the deportation hysteria and the developing police-state practice to which people are subjected under the Smith and McCarran Acts.

Those two acts are not immigration acts. Those are the internal security acts.

Did you make that speech?

Mr. CALDWELL. Well, I would like to——

(The witness confers with his counsel.)

Mr. ARENS. Go right ahead.

Mr. CALDWELL. I would like to consult counsel if you don't mind.

Mr. ARENS. You go right ahead.

Mr. CALDWELL. What is the date that I am alleged to have made this speech?

Mr. ARENS. Well, do you have a recollection of making this little speech on May 18, 1952, in which you were attacking the Smith Act and McCarran Act, that is, the Internal Security Act, as developing police-state practices?

Mr. CALDWELL. On advice of counsel——

Mr. ARENS. If you feel that way about it why don't you tell the Committee on Un-American Activities about it, because this legislation came out of this committee.

Mr. CALDWELL. I decline to answer the question, Mr. Chairman, invoking my——

Mr. ARENS. We don't want you to feel restrained at all in telling the committee your views on this legislation. You have told the world.

Now I thought perhaps you might tell us.

Mr. Caldwell. Under this setting I am apprehensive of answering that question, and invoke my privilege under the first amendment, freedom of speech and freedom of association. And I further invoke my privileges under the fifth amendment, that I am not compelled to testify against myself.

Mr. ARENS. In December of 1952 were you chairman of the resolutions committee, of a National Conference To Defend the Rights of Foreign Born Americans held in Detroit at the Jewish Cultural Center? Do you recall going to Detroit and being chairman of the resolutions committee to defend the rights of foreign-born Americans?

(The witness confers with his counsel.)

Mr. CALDWELL. May I have a glass of water, please?

I decline to answer that question, Mr. Chairman, invoking my privileges under the first and fifth amendments, and I am not compelled to testify against myself.

Mr. ARENS. Did you help set up the Midwest Conference To Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans in April of 1953?

Mr. CALDWELL. I decline to answer that question, Mr. Chairman.

Mr. ARENS. And you at that conference made a speech in which you called upon all present to visit their Congressman during the then Easter holiday and to penetrate all organizations, and to solicit all groups to represent to the Congress that the people wanted the Walter-McCarran Act repealed.

Did you do that?

Mr. CALDWELL. Would you repeat that?

Mr. ARENS. Yes.

Just tell us what you did at the conference, and we will see whether or not my recitation of the facts, as reported here, are accurate.

What did you do at this conference in 1953 besides this oration you gave to defend the rights of foreign-born Americans? Just tell the committee.

Mr. CALDWELL. I decline to tell the committee under this setting what I might have said at any particular time, invoking my privileges—

Mr. ARENS. Do you recall distributing—

Mr. CALDWELL. Just a minute. I haven't finished.

Mr. ARENS. I am sorry.

Mr. CALDWELL. I am invoking my privileges under the first amendment, freedom of speech, and further invoking my privilege under the fifth amendment—I cannot be compelled to testify against myself.

Mr. ARENS. Did you distribute to all the delegates a list of the Members of Congress, the Representatives and Senators from the various States? Do you recall doing that?

(The witness confers with his counsel.)

Mr. CALDWELL. I decline to answer that question under the first and fifth amendments.

Mr. ARENS. Now we display to you a reproduction of page 3 of the Lamp of the American Committee for Protection of Foreign Born with reference to certain activities of the Midwest Committee for Protection of Foreign Born. It alludes here particularly to a conference in which 375 people participated in Chicago. It lists the number of delegates who were here, all in behalf of the constitutional human rights of foreign-born.

It appears from this document that you were then executive secretary of the organization and of the conference.

Please look at this document and see if you can't verify the authenticity of it.

(Document marked "Exhibit No. 373," see appendix, p. 7757.)

(The witness examines document and confers with his counsel.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question on the grounds that it is immaterial, invoking my privileges under the first and fifth amendments.

Mr. ARENS. Now back in December of 1953 were you one of the leading lights of the National Conference to Repeal the Walter-McCarran Law and Defend Its Victims, held here in Chicago? We have a reproduction of the proceedings there, in which you are listed as executive secretary of the Midwest Committee for Protection of Foreign Born, and one of the conference leaders and speakers.

Please look at that document and see if that might refresh your recollection to such an extent that you might be able to help the Committee on Un-American Activities.

(The witness confers with his counsel.)

Mr. CALDWELL. I am sorry. What is the question that you specifically want me to answer?

Mr. ARENS. I just want you to tell this committee whether or not you are accurately identified there as executive secretary of the Midwest Committee and one of the speakers at this Midwest conference. It is on page 2 there.

(See exhibit V, appendix, p. 8343.)

(The witness examines document.)

Mr. CALDWELL. Mr. Chairman, I decline to answer that question, invoking my privileges under the first amendment, in that the question abridges my rights of freedom of association and freedom of speech, and, since this is a printed document, it violates those rights of freedom of the press. And I further decline to answer the question, invoking my privileges under the fifth amendment of the same Constitution.

Mr. ARENS. We have a reproduction of an open letter to the Judiciary Committees of the United States Senate and House of Representatives, bearing the signatures of a number of people, assuring the committees of the aroused public sentiment which exists in this country in opposition to the Walter-McCarran Act, signed by a great number of people, all emanating from this national conference.

Please look at this letter and see if you recall being one of the participants in procuring the signatures to enlighten the Members of the Congress with reference to the aroused public opinion at the crossroads of this Nation.

(The witness examines document and confers with his counsel.)

Mr. STEINBERG. Is his name on here?

Mr. CALDWELL. Is my name on here? Do you want to know if my name is on here?

Mr. ARENS. I want to see if you remember participating in the preparation of that letter which was sent to the various committees.

If you don't recall, just say you don't recall.

(The witness confers with his counsel.)

Mr. CALDWELL. I decline to answer that question, Mr. Chairman.

Mr. ARENS. Do you have a reason?

Mr. CALDWELL. Yes, I have several reasons, some very good ones, in that it abridges my rights under the fifth amendment and the first amendment to the Constitution.

Mr. ARENS. Now we invite your attention to just two more proceedings.

First is the summary of proceedings of the American Committee for Protection of Foreign Born in New York City in 1954, a National Conference to Defend the Rights of Foreign Born Americans.

According to the summary of these proceedings, Nathan Caldwell, Jr., of Chicago, was chairman of the resolutions committee of this conference.

Please look at this summary of the proceedings and see if that might refresh your recollection with reference to your participation in that conference and your chairmanship of the resolutions committee of that organization.

(See exhibit VI, appendix, p. 8372.)

MR. CALDWELL. In other words, the specific question is whether or not I did——

MR. ARENS. Yes; that is right.

(The witness examines document and confers with his counsel.)

MR. CALDWELL. In this setting, Mr. Chairman, I decline to answer that question.

I am apprehensive of the question. And I further decline, invoking my privileges under the first amendment which guarantees me freedom of association and freedom of speech. And, since that is a printed document, it abridges my rights of freedom of the press. And I further invoke my privileges under the fifth amendment, in that I cannot be compelled to testify against myself.

MR. ARENS. You weren't unemployed in April of 1955; were you?

MR. CALDWELL. I decline to answer that question in this setting, Mr. Chairman. I am apprehensive of it, and invoke my privileges under both the first and fifth amendments.

MR. ARENS. We have the summary of proceedings of April 30, 1955, of the Midwest Committee for Protection of Foreign Born, in which a big conference was held, according to the summary of proceedings, here in Chicago. And we have here a letter signed by the executive secretary of this conference, a man by the name of Nathan Caldwell, Jr.

Just look at these proceedings and this letter and this signature and see if you can't help this committee of the Congress by verifying the authenticity of that document.

(Documents marked "Exhibits 374a-c," see appendix, pp. 7758-7765.)

(The witness examines document and confers with his counsel.)

MR. CALDWELL. Mr. Chairman, I decline to answer that question, invoking my privileges under the first amendment guaranteeing me freedom of association and speech, and further invoking my privileges under the fifth amendment, in that I cannot be compelled to testify against myself.

(Representative Harold H. Velde returned to the hearing room at this point.)

MR. ARENS. Mr. Chairman, I respectfully suggest that, in the presence of this witness, another witness be sworn.

MR. CZARNOWSKI, would you kindly come forward.

(Committee members present: Representatives Frazier, Velde, and Jackson.)

(The witness confers with his counsel.)

MR. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, so help you God?

MR. CZARNOWSKI. I do.

TESTIMONY OF ANZELM A. CZARNOWSKI

MR. ARENS. Please identify yourself by name, residence, and occupation.

MR. CZARNOWSKI. Anzlem, A-n-z-e-l-m, A. Czarnowski, C-z-a-r-n-o-w-s-k-i.

MR. ARENS. Mr. Czarnowski, I expect a little later on to interrogate you at length with reference to a number of matters.

For the present, I should like to ask you just a very few questions. Have you ever been a member of the Communist Party?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Over what period of time were you a member of the Communist Party?

Mr. CZARNOWSKI. From 1944 up to January 1955.

Mr. ARENS. And in what area did you serve in the Communist Party?

Mr. CZARNOWSKI. From 1944 to 1955.

Mr. ARENS. I say in what area. In what State or what community?

Mr. CZARNOWSKI. In the Argo-Summit community, an industrial branch of the Electromotive Division of the General Motors. Corp.

Mr. ARENS. In what State, please, sir?

Mr. CZARNOWSKI. In La Grange, Ill.

Mr. ARENS. During all the time that you were a member of the Communist Party were you serving at the behest of the Federal Bureau of Investigation?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Were you ever ideologically identified with the Communist Party? Were you ever in sympathy with the Communist Party?

Mr. CZARNOWSKI. No, sir.

Mr. ARENS. You were at all times just serving your Government. Is that correct?

Mr. CZARNOWSKI. Yes, sir; and protecting my home.

Mr. ARENS. I understand.

In view of the tittering in the back of the room, I should just like to ask you one question now before we proceed with the original question. Have you, in the course of the last 24 to 48 hours, received a threat with respect to your appearance here today?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And do you have some evidence of that threat with you today?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Would you kindly allude to it and display it now to the committee.

Mr. CZARNOWSKI. I received it yesterday [handing document to committee counsel].

(Document marked "Exhibit No. 375," see appendix, p. 7766.)

Mr. ARENS. You have just handed me, Mr. Czarnowski, an envelope on the inside of which the letters "r-a-t" appear, is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And in the envelope there is a picture of a person who has been shot down in Hungary. Is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And the person who sent this letter circled the word "informers."

Most members of the AVH and their informers were shot immediately when found.

Is that correct?

Mr. CZARNOWSKI. Correct.

Mr. ARENS. This was sent where? To your home?

Mr. CZARNOWSKI. The address of my home; yes, sir.

Mr. ARENS. You regard this service to your Government as an undercover agent for the Federal Bureau of Investigation a rather serious business; do you not, Mr. Czarnowski?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And you regard the service of this committee to the American people as rather serious business; do you not?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. During the course of your service in the Communist Party did you know a person by the name of Nathan E. Caldwell, Jr.?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Did you know Nathan E. Caldwell, Jr., as a Communist?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Did Nathan E. Caldwell, Jr., identify himself to you as a Communist?

Mr. CZARNOWSKI. In so many words.

Mr. ARENS. In a conversation with you?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Do you see in the hearing room today the person whom you knew as a Communist while you were an undercover agent in the Communist conspiracy at the behest of the Federal Bureau of Investigation?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Would you point out to the committee the person whom you knew as a Communist?

Mr. CZARNOWSKI. It is this young man here [indicating].

Mr. ARENS. Just have a seat.

TESTIMONY OF NATHAN E. CALDWELL, JR.—Resumed

Mr. ARENS. Mr. Caldwell, do you know a person, or have you ever known a person by the name of Anzelm A. Czarnowski?

(Mr. Caldwell confers with his counsel.)

Mr. CZARNOWSKI. Can I interrupt?

Mr. ARENS. Yes, sir.

Mr. CZARNOWSKI. He wouldn't know me as Anzelm Czarnowski. I went under the party name of Steve Czerwin.

Mr. ARENS. Steve what?

Mr. CZARNOWSKI. Czerwin, C-z-e-r-w-i-n.

Mr. ARENS. C-z-e-r—

Mr. CZARNOWSKI. w-i-n.

Mr. ARENS. Then let us change this last question, and we will rephrase it.

(The witness Caldwell confers with his counsel.)

Mr. ARENS. Mr. Caldwell—

Mr. CALDWELL. Just a minute.

Mr. ARENS. The first name was Steve, you say?

Mr. CZARNOWSKI. Steve; yes, sir.

Mr. ARENS. Mr. Caldwell, do you know the man who just testified here seated to your left?

Mr. CALDWELL. Under ordinary circumstances I would answer that question. I would like to answer it if you will guarantee my counsel the right to cross-examine this witness.

Mr. ARENS. Your counsel knows and he has informed you, I am sure, of the rules of this committee. Counsel's sole and exclusive prerogative is to advise his client with reference to his constitutional rights.

Answer that question.

Mr. CALDWELL. May I ask a ruling?

Mr. ARENS. Answer that question whether or not you know the man who just testified.

Mr. CALDWELL. I decline to answer that question, invoking my privilege under the first amendment, freedom of speech, association—

Mr. ARENS. Why?

Mr. CALDWELL. And invoking my privileges under the fifth amendment; I cannot be compelled to testify against myself.

Mr. ARENS. This man under oath just now said he knew you as a Communist, a member of a conspiratorial apparatus designed to overthrow this Government by force and violence.

That is a pretty serious thing to say about a man.

You just tell this committee while you are under oath did Mr. Czarnowski lie or did he tell the truth?

(The witness confers with his counsel.)

Mr. CALDWELL. I decline to answer that question, Mr. Chairman, invoking my privileges under the fifth and first amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

And I should then like to request Mr. Czarnowski to move over to the principal witness chair so we can proceed with further interrogation of him.

Mr. FRAZIER. Wait a minute.

Are there any questions?

Mr. VELDE. No questions.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. No.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Mr. Czarnowski, will you kindly move over to the principal witness seat.

TESTIMONY OF ANZELM A. CZARNOWSKI—Resumed

Mr. ARENS. Mr. Czarnowski, will you please keep your voice up as you testify so that the committee can hear your testimony?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Now tell the committee, first of all, the date and place of your birth.

Mr. CZARNOWSKI. I was born in Poland, in Lebnó, L-e-b-n-o, on August 12, 1896.

Mr. ARENS. When did you come to the United States?

Mr. CZARNOWSKI. In 1913.

Mr. ARENS. And were you admitted for permanent residence?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And are you a citizen of the United States?

Mr. CZARNOWSKI. Yes, sir.

I became a citizen through an act of Congress while serving in the United States Army.

Mr. ARENS. Now, Mr. Czarnowski, would you kindly detail the circumstances of your membership in the Communist Party, and, so that the record at this point reflects the dates, repeat the date which you gave a few moments ago.

Mr. CZARNOWSKI. How I got into the service?

Mr. ARENS. Yes. Just very briefly how you became a Communist, and the period of your service, and then we will get into further details in a moment.

Mr. CZARNOWSKI. I have reported to the FBI certain Nazi activities in the Electromotive Division, which was a defense plant.

Recognizing my interest in the security of this country, they have asked me whether I would join the Communist Party.

Mr. ARENS. That was in what year, please, sir?

Mr. CZARNOWSKI. In 1943.

Mr. ARENS. And you served in the Communist Party. Is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And you served until 1955. Is that correct?

Mr. CZARNOWSKI. Correct.

Mr. ARENS. And during all that time you were in constant communication or periodic communication, I should say, with representatives of the Federal Bureau of Investigation. Is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Now, Mr. Czarnowski, tell us next the various units of the Communist Party to which you were assigned during your service in the party.

Mr. CZARNOWSKI. I was assigned to the Midwest Committee for Protection of Foreign Born, and the Chopin Cultural Club. C-h-o-p-i-n.

Mr. ARENS. Were you also at one time assigned to an industrial section of the Communist Party?

Mr. CZARNOWSKI. Yes.

That is the industrial section of the Electromotive Division of the General Motors Corp. in La Grange, Ill.

Mr. ARENS. Let us, if you please, sir, take each of these sections one by one. Let us direct our attention exclusively, for the next few minutes, to the Midwest Committee for Protection of Foreign Born.

Could you now tell the Committee on Un-American Activities the names of persons in the Midwest Committee for Protection of Foreign Born who, to your certain knowledge, were members of the Communist Party?

Mr. CZARNOWSKI. Well, I have prepared a list. May I read it off?

Mr. ARENS. Is it prepared in your own handwriting?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Yes, sir; please do.

Allude, first of all now, to the Midwest Committee for Protection of Foreign Born.

And may I say, for the purpose of clarity here, if there is a name that is a little difficult to catch, kindly spell the name.

Mr. CZARNOWSKI. Yes, sir.

Mr. JACKSON. Mr. Chairman and Mr. Counsel——

Mr. FRAZIER. Yes, Mr. Jackson.

Mr. JACKSON. I assume that there are certain criteria for the determination which he is going to make on this list of names. And,

rather than state how he knows on every name, it would be understood, as we have at some times past, that the identifications are based upon attendance at closed meetings of the Communist Party, evidence in the form of membership cards, collection of dues, and such things as that, so that we will be absolutely certain that all of the people who are named were members of the party, based upon those criteria?

Mr. ARENS. You understand what the Congressman just said, Mr. Czarnowski?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Will the name of each person whom you now will allude to or call off in the Midwest Committee for Protection of Foreign Born be a person who, to your certain knowledge, on the basis of experience, membership in closed meetings and the like, be a member of the Communist Party?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Now kindly proceed to tell the Committee on Un-American Activities the names of people in the Midwest Committee for Protection of Foreign Born who, to your certain knowledge, were Communists.

Mr. CZARNOWSKI. Herbert March.

Mr. ARENS. How do you spell that last name?

Mr. CZARNOWSKI. M-a-r-c-h.

Mr. ARENS. Just a moment.

May I ask you, as you give each name, if you could give us just a word of identification.

Herbert March. Is he a plumber or electrician or what is he? Where does he work and so forth?

Mr. CZARNOWSKI. In the packing union, official of the packing union.

Mr. ARENS. Where?

Mr. CZARNOWSKI. At a packinghouse.

He was a delegate to the 1947 and, I believe, 1948 Communist Party district convention. He attended several functionary meetings, Communist Party functionary meetings.

Selena Palka.

Mr. ARENS. How do you spell Selena?

Mr. CZARNOWSKI. S-e-l-e-n-a.

Mr. ARENS. What is that last name?

Mr. CZARNOWSKI. P-a-l-k-a.

Mr. ARENS. And give us a word about her.

Mr. CZARNOWSKI. She is from the Polish group, and attended several Communist Party functionary meetings that I have——

Incidentally, I have attended. I have these only from those meetings that I have attended.

Mr. ARENS. You have informally told the staff the names of other people who were identified to you as Communists. But we have asked you not to use their names in this proceeding, have we not?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. We have asked you in this proceeding to name only people who, to your certain knowledge, on the basis of your personal experience, were known by you to be members of the conspiracy. Isn't that correct?

Mr. CZARNOWSKI. Correct.

Mr. ARENS. You also have told us informally the names of a number of people who, by other comrades, were identified to you. Isn't that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Now proceed.

Mr. CZARNOWSKI. Walter Palka attended several functionary meetings, and was a delegate to the 1947 Communist Party convention, State convention.

Cazimir Siuba.

Mr. ARENS. Now I think——

Mr. CZARNOWSKI. C-a-z-i-m-i-r S-i-u-b-a. Delegate to the Communist Party State convention or district convention in 1947.

Mr. ARENS. Do you know where he is now or what he does?

Mr. CZARNOWSKI. He is a barber.

Mr. ARENS. He is a bartender?

Mr. CZARNOWSKI. A barber.

Mr. ARENS. A barber?

Mr. CZARNOWSKI. Yes.

Vicki Starr.

Mr. ARENS. You had better give us that name.

Mr. CZARNOWSKI. S-t-a-r-r.

Mr. ARENS. Is the first name Vicki?

Mr. CZARNOWSKI. Vicki. V-i-c-k-i.

Mr. ARENS. A man or or a woman?

Mr. CZARNOWSKI. I suppose for Victoria. A woman. She is the wife of Edward Starr. And she was a delegate to the 1947 and 1948 convention, Communist Party district convention. And also attended several functionary meetings.

James Keller. That is the man that the Midwest Committee is protecting from deportation. He was a Communist Party functionary, delegate to the 1947 and 1948 Communist Party district convention.

Mr. ARENS. He is the subject of this one little committee we talked about earlier today, the Committee to Defend James Keller, or the James Keller Defense Committee?

Mr. CZARNOWSKI. Correct.

Mr. ARENS. And you identify him as a Communist. Is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Proceed, if you please, sir.

Mr. CZARNOWSKI. Harry Sobel.

Mr. ARENS. You had better give us the spelling on that, please, sir.

Mr. CZARNOWSKI. S-o-b-e-l, or b-o-l, or b-a-l. I don't know which.

Attended Communist Party functionary meetings.

Tillie Carle. T-i-l-l-i-e C-a-r-l-e.

Mr. ARENS. Was she also known as Tillie Carle Rogers? She was a witness here yesterday.

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Thank you.

Mr. CZARNOWSKI. Joe Poskonka, P-o-s-k-o-n-k-a, employed at a packinghouse, and also belongs to the packing union. He was a delegate to the 1947 and 1948 district convention, Communist Party district convention. Also attended several of the Communist Party functionary meetings.

Mr. ARENS. Would you hesitate just a moment, please?

This Harry Sobel. Was he also president of a subsidiary organization of the Midwest Committee for Protection of Foreign Born, known as the Jewish Committee for Protection of Foreign Born?

Mr. CZARNOWSKI. Yes. He had something to do with the Jewish committee. I don't know what office he held.

Mr. ARENS. Of course, it was not in any sense a religious organization, was it?

Mr. CZARNOWSKI. No, sir.

Mr. ARENS. It was an organization of Communists, was it not?

Mr. CZARNOWSKI. It was an organization of the Jewish group of the Communist Party.

Mr. ARENS. Now proceed, if you please, sir.

Mr. CZARNOWSKI. That is all as far as the Midwest Committee is concerned.

Mr. ARENS. On the basis of your experience as a functionary of the Communist Party underground at the behest of the Federal Bureau of Investigation, of course—

Mr. CZARNOWSKI. Yes.

Mr. ARENS. Are you in a position to tell the Committee on Un-American Activities whether or not the Midwest Committee for Protection of Foreign Born was an interlocking entity with the American Committee for Protection of Foreign Born?

Mr. CZARNOWSKI. Yes, it was.

Mr. ARENS. Are you in a position to tell the Committee on Un-American Activities whether or not the Midwest Committee for Protection of Foreign Born was controlled, lock, stock, and barrel, by the Communist conspiracy?

Mr. CZARNOWSKI. From all the activities that I took part in, I find that it was all one organization controlled by the American Committee.

Mr. ARENS. By the American Committee for Protection of Foreign Born?

Mr. CZARNOWSKI. For the Protection of Foreign Born.

Mr. ARENS. Which, in turn, has been cited repeatedly as a Communist-controlled organization?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Mr. Czarnowski, you stated in your opening observations a few moments ago that you were not only identified in Communist Party activities with the Midwest Committee for Protection of Foreign Born, but also with other entities of the Communist Party. You said the Chopin Club and an industrial organization of the Communist Party.

Let us now take 1 of the 2 and have you, if you please, sir, tell this committee who in each of these organizations was known by you, to a certainty, to be a member of the Communist conspiracy.

Perhaps we should take the Argo Club first.

Mr. CZARNOWSKI. Before we go further—

Mr. ARENS. Yes.

Mr. CZARNOWSKI. May I remind the chairman or the counsel that I haven't mentioned Nathan Caldwell.

Mr. ARENS. I didn't understand you.

Mr. CZARNOWSKI. I have not mentioned Nathan Caldwell when I read off these names.

Now I would like to tell the congressional committee the circumstances, how I know that he is a Communist.

Mr. ARENS. Yes, sir. You proceed and do so.

Mr. CZARNOWSKI. Yes, sir.

I invited him for a cup of coffee downstairs at the office. I think it is 432 South Dearborn. Or 31. I don't remember.

And over there at that time Hilliard Ellis quit or resigned from the Communist Party.

I always wanted to find out whether or not he is a member of the Communist Party. So I said Hilliard Ellis, being a very active member, I don't think it was right for him to quit because we needed leadership.

So he said that the Communists, that Hilliard Ellis has quit the party because, according to the party, the party permits labor leaders to quit the party on account of the Taft-Hartley law so they would be—

Mr. ARENS. They just resign technical membership in the Communist Party, but maintain their affiliation and allegiance to the party; is that correct?

Mr. CZARNOWSKI. Yes. That was the essence of the conversation. Now the question is here, if he is not a member of the Communist Party, how does he know that, because only Communists know what the party is trying to do?

Mr. ARENS. Did you ever attend any other meetings or any other sessions with Caldwell?

Mr. CZARNOWSKI. Only Midwest Committee meetings.

Mr. ARENS. Did you ever attend a meeting with Caldwell in the home of Blanche Born?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Was that a Communist Party meeting?

Mr. CZARNOWSKI. I would like to start from the beginning. That is, I told Caldwell that we cannot get all the money from our party members because, after all, we haven't got enough, and they have such other expenses as the workers' drive, the defense for the Communist Party leaders, and others.

So we tried to establish a defense committee, Southwest Defense Committee. But I don't know how to go about it.

So he suggested, he said he would talk to Blanche.

Mr. ARENS. And who is Blanche?

Mr. CZARNOWSKI. Well, later I found, after he had talked to Blanche—that was Blanche Born, member of the Communist Party.

Mr. ARENS. How do you spell that last name?

Mr. CZARNOWSKI. B-o-r-n.

And so he arranged a meeting at her home.

Now, present at this meeting were Nate Caldwell, Blanche Born, a Communist, myself a Communist, Gobel Hubbard, a Communist—

Mr. ARENS. How do you spell that last name?

Mr. CZARNOWSKI. G-o-b-e-l, first name; H-u-b-b-a-r-d. I am not sure whether John Wright was there, too, or not.

Mr. ARENS. Was John Wright a Communist?

Mr. CZARNOWSKI. Yes.

Mr. ARENS. How did you know Hubbard was a Communist?

Mr. CZARNOWSKI. Hubbard was the secretary of the Argo branch to which I belonged.

Mr. ARENS. All right, sir.

Now could you direct your attention to one of the other units of the Communist Party in which you were active, to which you were assigned by the party? You have told us about the Midwest Committee for Protection of Foreign Born. Now let us consider another unit.

Were you assigned by the Communist Party to an industrial unit of the Communist Party?

Mr. CZARNOWSKI. Being employed at the Electromotive, I was, that way, assigned to that unit there. But at that time it was just party members getting together until the concentration of industries was established.

Now in the meanwhile, from 1944 to, I believe, 1950—I am not sure. Or 1949, there. I attended both meetings.

Mr. ARENS. You attended both—

Mr. CZARNOWSKI. The Argo branch meeting and the industrial branch meeting.

Mr. ARENS. And then did the industrial branch organizational unit succeed the Argo branch unit?

Mr. CZARNOWSKI. Well, then they had a concentration of industries, and they told me that I should concentrate all my efforts, my work, in the industrial branch and quit the Argo branch.

Mr. ARENS. Tell us, first of all, people who, to your certain knowledge, were Communists in the Argo branch.

Mr. CZARNOWSKI. There is Gobel Hubbard, H-u-b-b-a-r-d—

Mr. ARENS. And a word about him, please. Where does he work?

Mr. CZARNOWSKI. He is secretary of the branch; employed at Continental Can Co.

Mr. ARENS. Is he there now? Do you know? At Continental Can Co.?

Mr. CZARNOWSKI. I don't know.

Andy Plesko.

Mr. ARENS. Give that name again, please.

Mr. CZARNOWSKI. P-l-e-s-k-o. Employed at the Corn Products Refining Co.

These are all members of the Argo branch of the Communist Party.

Mr. ARENS. What post did you occupy in the Argo branch? Do you recall?

Mr. CZARNOWSKI. Well, I haven't occupied any particular post with the exception—pardon me.

With the exception of being a representative to the Midwest Committee.

Mr. ARENS. All right, sir. Now proceed.

Mr. CZARNOWSKI. And Myron Blish.

Mr. ARENS. How do you spell that last name?

Mr. CZARNOWSKI. B-l-i-s-h.

Mr. ARENS. Where does he work?

Mr. CZARNOWSKI. At the Corn Products Refining Co. He attended the Lincoln School in 1946, which is the Communist school.

Florence Gowgiel attended the Workers School in 1949. G-o-w-g-i-e-l.

Mr. ARENS. She was head of a Save Our Sons Committee; wasn't she?

Mr. CZARNOWSKI. She was the organizer of the Save Our Sons, and a member of the American Peace Crusade.

Mr. ARENS. Do you have another name?

Mr. CZARNOWSKI. Ed Easter, employed at Corn Products Refining Co. E-a-s-t-e-r.

Anthony Janchenko.

Mr. ARENS. Spell the last name.

Mr. CZARNOWSKI. J-a-n-c-h-e-n-k-o.

Mr. ARENS. And a word of identification about Mr. Janchenko?

Mr. CZARNOWSKI. He is retired.

Mr. JACKSON. From business or the Communist Party?

Mr. CZARNOWSKI. Well, I don't know. Maybe both by now.

Mr. JACKSON. Did you mean that he had left the party?

Mr. CZARNOWSKI. Sir?

Mr. JACKSON. Did you mean that he had left the party?

Mr. CZARNOWSKI. I am not sure whether he did or not. The members of the party said he did, but you know—

Mr. ARENS. You mean he is retired from gainful employment?

Mr. CZARNOWSKI. From gainful employment; yes, sir.

John Koshel, K-o-s-h-e-l.

Arlin Pribatek, A-r-l-i-n P-r-i-b-a-t-e-k, employed at Corn Products Refining Co.

Mary Phillips Buckner.

Mr. ARENS. Spell that Buckner.

Mr. CZARNOWSKI. Buckner, B-u-c-k-n-e-r. She was also a member of the SOS, Save Our Sons.

Roy Petty. R-o-y Petty, P-e-t-t-y. He is doing odd jobs in Argo.

Beatrice Johns, J-o-h-n-s.

Mr. VELDE. Mr. Czarnowski, what type of jobs did these people that you are identifying hold at Corn Products Refining Co.?

Mr. CZARNOWSKI. Corn Products Refining Co. is manufacturing that Argo starch, limit, and Karo syrup. And, of course, Mr. Congressman, they are on different jobs—

Mr. VELDE. Were any of these that you are identifying now at Corn Products white collar workers or were they—

Mr. CZARNOWSKI. No except one—Myron Blish. He is a chemist at the Corn Products Refining Co.

James McDonald, employed at the Corn Products Refining Co.

Frank Kaeser, K-a-e-s-e-r, employed at Page Engineering, McCook.

John Mudrak, M-u-d-r-a-k, employed at the Felt Factory in McCook.

Leon Petty, P-e-t-t-y.

Arthur Petty, P-e-t-t-y.

Ernest Petty, P-e-t-t-y, employed at the Corn Products Refining Co. And Luther Vaughn.

Mr. ARENS. Spell the last name, please, sir.

Mr. CZARNOWSKI. V-a-u-g-h-n.

Mr. ARENS. Where is he employed or where was he employed?

Mr. CZARNOWSKI. I don't know where he is employed.

These names, the names I have given—I mean these people have attended meetings with me.

Mr. ARENS. And you identify those now as persons who, to your certain knowledge, were members of the Communist Party. Is that correct?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Now do you have——

Mr. CZARNOWSKI. Pardon me.

Mr. ARENS. Excuse me.

Mr. CZARNOWSKI. I have additional names here of functionaries who have attended the Argo branch.

Mr. ARENS. They are known by you to be Communists. Is that correct?

Mr. CZARNOWSKI. They are Communist functionaries.

Mr. ARENS. Communist functionaries who attended the Argo branch?

Mr. CZARNOWSKI. No. Who directed the Argo branch. I mean they are paid functionaries of the Communist——

Mr. ARENS. Full-time functionaries?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Let's have their names, please, sir.

Mr. CZARNOWSKI. James Keller, the man that is on the deportation list.

Katherine Drew.

Mr. ARENS. Spell the last name.

Mr. CZARNOWSKI. D-r-e-w.

Mr. ARENS. Is the Katherine spelled with a K or a C? Or do you know?

Mr. CZARNOWSKI. I don't know.

Dick Criley, C-r-i-l-e-y.

Mr. ARENS. Could you identify him a little bit further? He was a paid functionary of the Communist Party?

Mr. CZARNOWSKI. He was a party functionary. I understand he was imported from California.

Mr. ARENS. He is one of the authors for the Communist conspiracy: is he not? He writes books for them—or pamphlets?

Mr. CZARNOWSKI. Yes; I believe he does.

Mr. ARENS. Now, do you have another name?

Mr. CZARNOWSKI. Bernard Persiley.

Mr. ARENS. Spell that, please, sir.

Mr. CZARNOWSKI. P-e-r-s-i-l-e-y.

Mr. ARENS. And could you give us a word of identification about Mr. Persiley?

Mr. CZARNOWSKI. Mr. Persiley is also a Communist functionary. He was a delegate to both conventions that I have attended. And many of the Communist Party functionary meetings.

Mr. ARENS. May I invite your attention to another entity of the Communist operation to which you were assigned, the Industrial Club. You have told us about the Argo club. Now tell us about the Industrial Club, and tell us the names of people who, to your certain knowledge, were members of the Communist Industrial Club as Communists.

Mr. CZARNOWSKI. Mr. Arens, while I am on the Argo branch can I mention about the activities that they have been engaged in out in my community there?

Mr. ARENS. Please do. Yes, sir.

(Representative Donald L. Jackson left the hearing room at this point.)

Mr. CZARNOWSKI. The Communist Party have conspired or have planned a conspiracy against our school system. They have succeeded in Argo in stopping the State funds of our schools for 1 year.

It was originated in the Argo branch by Florence Gowgiel.

Mr. ARENS. Let's get the last name, please, again.

Mr. CZARNOWSKI. G-o-w-g-i-e-l. And Beatrice Johns, and the other fellow travelers.

At the one meeting I was told to attend because, as I mentioned, I was then a member of the industrial branch—But this was in 1949, I believe, when I attended this meeting. It was started with the playing of the Communist Third Internationale. There were four people present at that meeting.

Mr. VELDE. When was this meeting?

Mr. CZARNOWSKI. Sir?

Mr. VELDE. When was this meeting you are talking about?

Mr. CZARNOWSKI. This was in Argo.

Mr. ARENS. The Congressman asked you when, please, sir.

Mr. CZARNOWSKI. Around 1949.

Mr. ARENS. And who were the four members of the Communist International who were there? Do you recall?

Mr. CZARNOWSKI. No. Of the Communist Party, the Communist branch.

It was Florence Gowgiel, myself, Beatrice Johns, and Roy Petty, I believe. Yes, Roy Petty.

It started with the playing of the Communist Third Internationale on the gramophone record.

And then Florence made a report on the schools. And she said that she has discussed the situation, the school situation, with a school board member by the name of Frank Foran, F-o-r-a-n, and with the Communist Party leadership.

And then the strategy of the activities were discussed. They have charged the school board system that segregation in our community exists, which was not a fact. They have gotten some petitions. And I have photostatic copies of the petitions if you want to see them.

And then they have attended meetings, school board meetings, and heckled and disturbed them. It made it quite impossible for that school board to function.

After the State stopped the funds pending a hearing, they have called on the Civil Rights Congress and other Communist-front organizations, and since Negro segregation was charged, they also solicited the aid of the National Association for the Advancement of Colored People, which was represented by Attorney Clark.

Attorney Clark, when he attended this hearing, he gave just one look at the whole situation, and he said that this was nothing but a Communist conspiracy, and he wishes to withdraw his organization from this hearing.

(Representative Donald L. Jackson returned to the hearing room at this point.)

Mr. CZARNOWSKI. And he didn't want to have anything to do with it. So the school board was then refunded funds.

That was the activity of the Argo branch.

Mr. ARENS. Now may I invite your attention to the Industrial Club of the Communist Party.

Tell us, first of all, where this Industrial Club was. Where was it?

Mr. CZARNOWSKI. It was—the Industrial Club usually met at 4400 Lawndale, Lyons, Ill. But it also met, like any other club, in different homes.

Mr. ARENS. Name at the present time, if you please, sir, those who, to your certain knowledge, were members of the Industrial Club of the Communist Party.

Mr. CZARNOWSKI. Charles Wilson.

Mr. ARENS. So this record is absolutely clear, each of the persons whom you are about to name are persons who, to your certain knowledge, were Communists. Is that correct?

Mr. CZARNOWSKI. Yes, sir; these are all members of the Communist Party.

Mr. ARENS. Now kindly proceed and give us, if you would, please, just a word of identification about each one, if you happen to recall it.

Mr. CZARNOWSKI. Yes, sir.

Charles Wilson, employed at the electromotive division, secretary of the——

Mr. ARENS. He is employed at the electromotive division?

Mr. CZARNOWSKI. Of the General Motors Corp.

Mr. ARENS. And that is a plant here in this area, I take it?

Mr. CZARNOWSKI. In La Grange, Ill.

Mr. ARENS. Proceed, please, sir.

Mr. CZARNOWSKI. Secretary of the Karl Lieber section, delegate to the 1947-48 Communist Party district convention. Delegate to several functionary meetings and front organizations.

Ed Klinger.

Mr. ARENS. You had better spell that for us, please, sir.

Mr. CZARNOWSKI. K-l-i-n-g-e-r.

Mr. ARENS. And his first name was Ed?

Mr. CZARNOWSKI. Ed.

Delegate to section conventions, and attended functionary meetings. Held offices in the branch and section. Employed at the electromotive division.

Mr. ARENS. Of General Motors?

Mr. CZARNOWSKI. Of General Motors.

Now this man, if there weren't any ladies present I would like to tell, because the Communists claim that they are loyal Americans.

I would like to, but I see I can't—there are ladies present—say what he mentioned, referring to the American flag.

Mr. ARENS. Well, was it in terms of vile epithets? Did he use vile language?

Mr. CZARNOWSKI. Vile language, yes.

Mr. ARENS. Obscene language?

Mr. CZARNOWSKI. Obscene language.

Mr. ARENS. With reference to the American flag?

Mr. CZARNOWSKI. It was just disgusting language.

Mr. ARENS. We wouldn't want you to repeat it on this record.

Mr. CZARNOWSKI. Saul Blackman, educational director——

Mr. ARENS. Wait just a minute.

What was the gentleman's name? The man's name?

Mr. CZARNOWSKI. Saul, S-a-u-l.

Mr. ARENS. And his last name?

Mr. CZARNOWSKI. Blackman, B-l-a-c-k-m-a-n.

Mr. VELDE. Mr. Czarnowski, were any of these technicians that you are now identifying in office work of any kind, or were they all laborers? Would you so indicate if they were technicians?

Mr. CZARNOWSKI. Mostly production men, yes; technicians, production men working on machines.

Mr. ARENS. Why would the Communist Party try to concentrate in industrial plants?

Mr. CZARNOWSKI. Well, I would like to tell that after I get through with the names.

Mr. ARENS. Go right ahead, and then we will interrogate you on that, if you please, sir.

Mr. CZARNOWSKI. He is not working at the electromotive plant any more, this Blackman.

Gill Podolner.

Mr. ARENS. Spell that.

Mr. CZARNOWSKI. P-o-d-o-l-n-e-r.

Mr. ARENS. His first name is Gill?

Mr. CZARNOWSKI. Gill. G-i-l-l.

Delegate to section convention, 1950; educational director, 1951; employed at the electromotive division of General Motors in La Grange.

Charles Heintz Schroetter.

H-e-i-n-t-z. Schroetter, S-c-h-r-o-e-t-t-e-r.

Employed at the electromotive division, La Grange.

Robert Turner, delegate to section convention—

Turner, T-u-r-n-e-r.

The section convention, 1950. Employed at the electromotive division of General Motors Corp.

One item on this particular person. I have something else to say now since that wonderful giggling was going on back there. I would like to have them laugh this off, too.

When the United States was involved in the war with Korea, and William Z. Foster put out a letter, this letter was discussed in the branches, that the Communist Party will not aid the United States in case of war with the Soviet Union.

During the discussion this man Turner said the following:

"The Soviet Union is a workers' state. And if any worker—" and I was a worker, and I am still a worker—"—if any worker in this country takes up arms against the Soviet Union he should be declared a traitor and be liquidated."

Mr. ARENS. Let's just be sure.

Who said that now?

Mr. CZARNOWSKI. Robert Turner, T-u-r-n-e-r.

Mr. ARENS. And he is or was, in your experience, employed where?

Mr. CZARNOWSKI. He is employed at the electromotive division.

Mr. ARENS. He is there now?

Mr. CZARNOWSKI. I believe; yes.

Mr. ARENS. And in what capacity is he employed there? Do you know?

Mr. CZARNOWSKI. I couldn't tell you.

Mr. ARENS. Do you have another name, please, sir?

Mr. CZARNOWSKI. I have not been employed at the Electromotive since 1951.

Al George, G-e-o-r-g-e.

Mr. ARENS. What is the first name? Al?

Mr. CZARNOWSKI. Al, for Alfred or Albert. It is Alfred, I believe.

Delegate to the Communist Party State convention, 1947. Formerly employed at the electromotive division of the General Motors Corp. in La Grange; formerly employed.

Ed Hirning, H-i-r-n-i-n-g, formerly employed at the Electromotive, and now in California. He attended several section meetings.

Karl Leirich, L-e-i-r-i-c-h, formerly employed at the Electromotive. He was delegate to the Communist Party district convention in 1948.

Louis Amaeker, employed at the Electromotive division in La Grange. A-m-a-c-k-e-r.

The next man is Terry Kandall, T-e-r-r-y—

Mr. ARENS. His last name. Spell it, please, sir.

Mr. CZARNOWSKI. Kandall, K-a-n-d-a-l-l.

Delegate to the Communist Party State convention in 1948. Employed in La Grange, in the Electromotive division.

Louis Llorca, L-l-o-r-c-a; employed Electromotive division.

Edmund Marczewski, M-a-r-c-z-e-w-s-k-i; employed at the Electromotive division.

By the way, Marczewski belongs to the southwest section, not the Argo branch. The southwest section.

Mr. ARENS. Of the Communist Party?

Mr. CZARNOWSKI. Of the Communist Party.

Sam Okal, delegate to the—

Mr. ARENS. Excuse me. You had better spell that name.

Mr. CZARNOWSKI. O-k-a-l. Pardon me.

Delegate to the Labor Conference of Peace. Employed at the Electromotive division.

Marion Polich, P-o-l-i-c-h; employed at the Electromotive division.

Mary Polich, the wife, housewife.

John Polich, P-o-l-i-c-h; employed at Page engineering plant in Lyons or McCook, I meant to say.

Morris Pratt, formerly employed—

Mr. ARENS. You had better spell that.

Mr. CZARNOWSKI. P-r-a-t-t.

Mr. ARENS. How does he spell Morris? Do you know?

Mr. CZARNOWSKI. M-o-r-r-i-s.

Formerly employed at the Electromotive division, General Motors.

Al Rubio, member of the district—

Mr. ARENS. Excuse me. You had better spell that.

Mr. CZARNOWSKI. Pardon me. R-u-b-i-o.

Member of the district executive board, I believe. State veterans and youth director, organizational director of the Cacchione Branch. State literature director and delegate to the section and district conventions of 1947 and 1948. He was employed at the Electromotive division of General Motors Corp.

Fred—

Pardon me. Before I go further, I have got another thing concerning this man to make, if I am permitted.

Mr. ARENS. Surely. Go right ahead.

Mr. CZARNOWSKI. I was told that they will have a meeting in my home. When the coast was clear, to, when they had the meeting in my home, I cleaned up, and, among the material that I have found and didn't want them to see, I found a case of rifles which were the property of the Argo Summit Post, 735 of the American Legion, of which I am a member. So I just left them out.

When these members of the quisling organization, the Communist Party, came in and we were ready to start the meeting, I said to them, "Comrades, I don't know how you feel about the present situation, but, as far as I am concerned, I am ready for the revolution now."

And I showed them these rifles.

So, for a little while they all had kind of fun with these rifles, how they would line up the people and how they would shoot them and all this.

Mr. ARENS. How many rifles were there?

Mr. CZARNOWSKI. There were a dozen rifles, but only one was cleaned. So that they handled that one rifle.

Ed Klinger, by the way, said—

No. He said that at some other meeting. He was not at this meeting, I don't believe. But at another meeting he said, "I don't want to use no rifle. I would like to be the commissar sitting there and telling them, 'Show me your hands. If I find silky hands, nice, I would like to put a stamp on—Dead. Firing squad.'"

Now back to this meeting.

Mr. ARENS. Incidentally, while you have diverted our attention from the particular names, were you a member of the American Legion at the time you were serving the Government underground in the Communist conspiracy?

Mr. CZARNOWSKI. Yes, sir, but I hardly attended any meetings. Only when the party told us to attend veterans' meetings, to infiltrate the veterans' organizations.

Mr. ARENS. That was part of the Communist Party strategy, to infiltrate its membership in patriotic organizations?

Mr. CZARNOWSKI. Correct.

Mr. ARENS. Proceed, if you please.

Mr. CZARNOWSKI. There were all kinds of—

During the discussion of this the chairman said, who was Al Rubio, "It looks like Czerwin wants to start a revolution on his own, which wouldn't be good."

To make the long story short, at the summary of this, Al Rubio said, "That is correct, comrades. This country is not ready for revolution yet. First we must educate the people, and the members of the Communist Party must go to school to learn the leadership so that when things happen the people are ready to move, and the Communist Party will be ready to give them the leadership and lead them to replace this capitalistic form of government with the farmer-workers' government."

Mr. ARENS. All right, sir. Proceed, sir, if you please, sir.

(Committee members present: Representatives Frazier, Velde and Jackson.)

Mr. CZARNOWSKI. Fred Tonini, T-o-n-i-n-i; employed at the Electromotive division, and with the Communist Party.

Harry Poll, formerly employed—

Mr. ARENS. How does he spell Poll?

Mr. CZARNOWSKI. P-o-l-l.

Formerly employed at the Electromotive division, and believed to be a swage man or something.

Tom Adams, A-d-a-m-s, at the Electromotive division, LaGrange.

Julian Blackman, formerly employed at the Electromotive division, and now in California.

Charles Blazina, employed at the Electromotive division in LaGrange.

Mr. ARENS. Spell it, please.

Mr. CZARNOWSKI. B-l-a-z-i-n-a.

Ed Puskaric, P-u-s-k-a-r-i-c or c-h, Senior. Employed at the Electromotive division.

Bogdan Milos. B-o-g-d-a-n, Milos, M-i-l-o-s. Formerly employed at the Electromotive, now in Yugoslavia.

Paul Dellekamp, D-e-l-l-e-k-a-m-p.

Nick Ruzich, R-u-z-i-c-h. Formerly employed at the Electromotive, now in Yugoslavia.

Allen Samuels, S-a-m-u-e-l-s; employed at the Electromotive division.

Leonard Vonderlack, V-o-n-d-e-r-l-a-c-k; employed at the Electromotive division.

Ray Sergo, S-e-r-g-o; formerly employed at the Electromotive Division, later with the Burlington Railroad.

Ed Lewis, L-e-w-i-s; employed at the Electromotive division.

The Communist Party functionaries who have visited the Argo branch were William Sennett, S-e-n-n-e-t-t, John Schmiess, S-c-h-m-i-e-s-s, Frank Mucchio, M-u-c-c-h-i-o, Al Glenn, A-l—Alfred or Albert—G-l-e-n-n, and Ray Koch, K-o-c-h.

Mr. ARENS. Does that complete the names of persons known by you to have been Communists in this Industrial Club?

Mr. CZARNOWSKI. Yes, at one time or another. When they left the plant they naturally left the branch.

As I said, some of them were formerly employed. Whether or not they are still Communists I don't know.

Mr. ARENS. Now, Mr. Czarnowski, were you also identified with a cultural club of the Communist Party, the Chopin Cultural Club?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Tell us, first of all, what was the Chopin Club?

Mr. CZARNOWSKI. Didn't you want to ask me first about the activities of the Communist Party in Electromotive after finishing reading the names?

Mr. ARENS. All right, sir.

Tell us, then, the activities of the Communists in the Industrial Section.

Mr. CZARNOWSKI. The Argo branch——

I mean not the Argo branch but the Electromotive branch, officially called Auto No. 1 branch, has instigated a strike at the Electromotive division.

Mr. ARENS. When?

Mr. CZARNOWSKI. In 1945.

This is another situation of a Communist conspiracy.

Mr. ARENS. What do they make at the Electromotive division?

MR. CZARNOWSKI. They manufacture diesel motors, diesel locomotives.

Now when they instigated this strike the people began to grumble. So the workers began to grumble in that plant. And Gil Green, who was at this branch meeting, he said that, referring to Walter Reuther, "This fair-haired boy is getting too popular among the workers here," because Reuther called up the regional office and blamed the Communists for starting this strike, which was really not organized. "And now is our chance to cut him down a few notches."

So the Communist Party members of the Electromotive branch or Auto 1 branch were instructed to spread a rumor that Reuther was to blame for this strike.

MR. ARENS. That is Walter Reuther, president of the CIO?

MR. CZARNOWSKI. Yes, sir.

MR. ARENS. The auto workers?

MR. CZARNOWSKI. Was to blame for this strike.

MR. VELDE. Mr. Gil Green was formerly chairman of the Illinois Communist Party?

MR. CZARNOWSKI. Yes, sir.

MR. VELDE. Indicted and convicted under the Smith Act?

MR. CZARNOWSKI. Yes, sir.

MR. VELDE. Do you know where he is now?

MR. CZARNOWSKI. Well, he is where he predicted he will be. He said just before he disappeared—speaking of Gil Green now since Congressman Velde asked me—

He said, "When I will be in jail and the doors slam behind me, I will watch American imperialism crumble through the window of my jail."

Now I honestly hoped that the Government will be good enough to give him a great big window.

MR. VELDE. Thank you.

MR. CZARNOWSKI. Coming back to this conspiracy at the Electromotive and Local 719, UAW-CIO, they have conspired, they have started the strike, and then they couldn't finish it. So they sent a Communist who was a member of the regional office of the UAW-CIO here, and they wanted to put him on the negotiating committee of the CIO, which Reuther would not appoint him.

This man, by the name Al Green, he said:

Reuther will not appoint me on the negotiating committee because I am a Communist.

So Schmiess, Irving Herman, and Al Glenn then said—they discussed that with the party members, and they have decided that Sam Okal, who was on the negotiating board and a member of 719, UAW-CIO, met Harry Poll and Al Glenn in a Thompson Restaurant nearby the regional office of the UAW-CIO where they will discuss the plans how to go over Reuther's head and convince Joe Madsen, the regional officer of the UAW-CIO, to appoint Al Glenn on that strike committee over the head of Walter Reuther. This they did not succeed in.

So they said that, since the management is delaying action about negotiating, the Communist Party members should agitate among the workers that the local vote to join the UAW general strike all over the country. This did not succeed.

So they came up and printed a letter. Now that was supposedly printed by a so-called American Foundation or something on that order.

This letter was to be spread among the workers to blackmail or blackmail the present leadership of Local 719, UAW-CIO.

Irving Herman said that the letter—parts of the letter first came out in the Star. And they have distributed that. And the Communist Party members were not prepared for it. And they demanded from Irving Herman that he get the original letter and make copies of it, the original letter of the Foundation of America or what ever it was, and distribute it among the workers to convince them on their side.

Then Irving Herman was put on the spot because he could not produce a letter because such a letter never existed. Apparently this letter was manufactured.

Now here comes the essence of the whole thing.

At the section meeting later on, Sven S-v-e-n A-n-d-e-r-s-o-n, he told the section committee that if we do not succeed in a general strike in the UAW—that is the strike that the party members recommended. I am ahead of myself.

He said that—

We can talk all we want to about the foreign policy and the American imperialists and intervention in China, Indochina and the Philippines and other countries, but all that will not help us anything if we will not succeed in getting this General Motors strike rolling, because this general strike will have a definite influence on our foreign policy.

So the essence of it is that they used the workingmen for their own benefit in the service of the Soviet Union.

Mr. ARENS. Now kindly tell us, if you please, sir, what was the Chopin Club C-h-o-p-i-n?

Mr. CZARNOWSKI. The Chopin Club also has its beginning from the Communist Party convention of 1947. At that time Gil Green had the speech, the final speech, that we have a large Polish population in the Chicago area.

Polish people—

he said—

are generally democratic-minded, but they are good union men. It is the duty of the Communists that work in the different factories to tell the worker that General Marshall has promised the West—

something on that order—

the western part of Poland to Germany.

Which he said split the Polish-American Congress. He says—

This is our opportunity to take advantage of it to draw the Polish people to our side. Should the religious question arise—

he said—

tell them that the Soviet Union is not against religion, and tell them there is a proof of that that Italy has about 1 million Communists who are Catholics.

Soon after that the Chopin Club was born or established. It was established by such Communists as Adam Bednarz, B-e-d-n-a-r-z, Joseph Helmuth, H-e-l-m-u-t-h, and I believe that Walter Palka was the third member of the Communists.

Mr. ARENS. Spell that last name, please.

Mr. CZARNOWSKI. P-a-l-k-a.

Mr. ARENS. Now where did the Chopin Club meet?

Mr. CZARNOWSKI. They have their own home, the Chopin Club, at—I have forgotten.

Mr. ARENS. Was it here in Chicago?

Mr. CZARNOWSKI. In Chicago, on Leavitt Street, the 1500 block Leavitt.

Mr. ARENS. On Leavitt Street?

Mr. CZARNOWSKI. Yes.

Mr. ARENS. How many members were there of the Chopin Club?

Mr. CZARNOWSKI. I couldn't tell you just how many members there.

Mr. ARENS. What is your best appraisal or estimate?

Mr. CZARNOWSKI. Well, all the members of the Polish IWO were members of the Chopin Club. Then the Communist Party members, and some people who went in and out after they recognized that this is communistic-controlled. They left.

Mr. ARENS. Was the Chopin Club a Communist organization or was it just controlled by the Communist Party and a front?

Mr. CZARNOWSKI. It was a Communist-front organization.

The purpose of this organization was—since the Polish people in this country have not recognized the representative of Poland in this country, the purpose of this organization was to draw and educate the people who recognize the Communist Polish representative. That was the main purpose of this club.

Mr. ARENS. Do you have any other comment or observation you would like to make with respect to the Chopin Club?

Mr. CZARNOWSKI. I have a list here of Communist Party members belonging to the Chopin Club, if I may go into that.

Mr. ARENS. Do you here and now identify each of the persons whose names you are about to call off as a person who, to your certain knowledge, was known by you to be a member of the Communist Party?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Proceed, if you please.

Just a moment. The reporter wants to change paper.

Mr. FRAZIER. The committee will take a recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Frazier, Velde, and Jackson.)

(At the expiration of the recess, the committee was reconvened. Committee members present: Representatives Frazier and Jackson.)

Mr. ARENS. Mr. Czarnowski, would you kindly resume the witness seat there, please.

Mr. Czarnowski, just as we recessed a few moments ago you were in the process of identifying people who, to your certain knowledge, were Communists in the Chopin Club. Would you kindly proceed?

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. CZARNOWSKI. Adam, A-d-a-m, Bednarz, B-e-d-n-a-r-z, member of the Southwest Section of the Communist Party; delegate to the 1947 State convention; employed by the CTA.

Walter Palka, P-a-l-k-a, delegate to the 1947 Communist Party State convention and other Communist Party functionary meetings. Employed as a baker.

Selena Palka, wife of Walter.

Mr. ARENS. Spell that, please, sir.

Mr. CZARNOWSKI. P-a-l-k-a.

Mr. ARENS. Spell the first name.

Mr. CZARNOWSKI. S-e-l-e-n-a.

Mr. ARENS. And the last name?

Mr. CZARNOWSKI. P-a-l-k-a.

Mr. ARENS. And identify her, please.

Mr. CZARNOWSKI. Attended several Communist Party functionary meetings, and member of the Freedom of the Press Committee.

Mr. JACKSON. The what committee?

Mr. CZARNOWSKI. The Freedom of the Press.

Mr. JACKSON. In the Communist Party?

Mr. CZARNOWSKI. Yes.

Joseph Helmuth, organizer.

Mr. ARENS. That Freedom of the Press Committee was created by the Communist Party to combat the deportations by our Government of Communist agents who were in the writing field; isn't that correct?

Mr. CZARNOWSKI. Freedom of the Press Committee, as I understood, was to work for, to get subscriptions for, the Worker.

The other—I haven't been able to get that.

Mr. ARENS. Proceed, if you please, sir.

Mr. CZARNOWSKI. Joseph Helmuth, H-e-l-m-u-t-h, organizer of the Chopin Club. He was a member of the Communist Party, I know since I read it in the Worker, stating that he has been kicked out of the party. I have the clipping at home.

Walter Iwinski, I-w-i-n-s-k-i-. He has attended one of the Argo Branch meetings.

Eugene Jasinski, J-a-s-i-n-s-k-i-, delegate to the 1947 Communist Party convention.

Cazimir Siuba, C-a-z-i-m-i-r S-i-u-b-a, Communist Party. Attended Communist Party functionary meetings and one of the conventions.

That is all I have.

Mr. ARENS. Now during the course of your experience in the Communist Party did you know a person by the name of Ernest DeMaio?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. D-e M-a-i-o?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. Did you know him as a Communist?

Mr. CZARNOWSKI. He attended the 1947 convention.

Mr. ARENS. Did you know him as a Communist?

Mr. CZARNOWSKI. Yes, sir.

Mr. ARENS. And was he connected with the Midwest Committee for Protection of Foreign Born?

Mr. CZARNOWSKI. He spoke at the Midwest Committee on several occasions.

Mr. VELDE. Wasn't he also head of the UE?

Mr. CZARNOWSKI. Yes.

Mr. VELDE. The Electrical Workers?

Mr. CZARNOWSKI. He is at the head of the UE.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Mr. Velde, do you have any questions?

Mr. VELDE. I don't have any questions, Mr. Chairman, but I would like to say this:

The witness certainly has performed a great service for the American people, for the Congress of the United States, and for the FBI during the period from 1943, I believe it was, until 1955.

I think he deserves every commendation that this committee can give him, Mr. Chairman.

And rest assured that the American people—that is, the patriotic American people—will thank you for the very fine, intelligent, logical testimony that you have given before this committee.

Mr. CZARNOWSKI. Thank you, sir.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. I have no questions, Mr. Chairman, but I want to subscribe to everything Mr. Velde has said.

The reason the American people hate communism is because they have learned a great deal about it through the efforts of men like yourself who have been willing to go into the conspiracy and then come out and tell the Government what is going on.

You have received one indication of the high esteem in which you are held by the Communists, and I would say, so far as I am concerned, that that is a badge of honor.

Mr. CZARNOWSKI. Thank you.

Mr. JACKSON. Not only, as Mr. Velde has said, have you rendered a service to your Government, your adopted Government, but I think that you have rendered an additional service to free men everywhere, including those in your homeland who, a month or so ago, were fighting Soviet tanks with their bare hands.

Certainly, in extending our own expression of gratitude to you, it is the expression of the Congress of the United States, which body authorizes the operations of this committee.

Thank you, Mr. Czarnowski.

Mr. VELDE. May I just ask one thing more.

On this threatening letter that you got and turned over to the committee, have you talked to the FBI about that matter?

Mr. CZARNOWSKI. Yes, sir.

Mr. VELDE. If you hadn't, I would suggest that it be turned over to the FBI to find out, or see if you can find out, who sent it. The person that sent it should be prosecuted to the full extent of the law.

Mr. CZARNOWSKI. May I have a word?

Gentlemen, this work that I have done I have done only for one sole purpose—not only to defend my country but to defend my family.

My America starts on 7513 West 63d Street in Argo, Ill. And from there on it spreads. My wife and I, we have had a bitter experience with Communists in Europe. Our entire kinship has been wiped out.

Mr. FRAZIER. Mr. Czarnowski, on the part of the entire committee, I want to thank you for the valuable information and for the fine work that you have done for this committee in testifying here and giving us such valuable information.

You are under subpoena, and, in view of the threat that has been made against you, you will be continued under that subpoena in order that you may have the protection of the committee and of the Congress of the United States.

Mr. CZARNOWSKI. Thank you, sir.

Mr. FRAZIER. The committee will now be in recess until 2 o'clock. (Whereupon, at 12:15 p. m., a recess was taken until 2 p. m., this same day. Committee members present: Representatives Frazier, Velde, and Jackson.)

AFTERNOON SESSION—TUESDAY, DECEMBER 4, 1956

(The committee was reconvened at 2:08 p. m., upon the expiration of the recess. Committee members present: Representatives Frazier and Jackson.)

Mr. FRAZIER. The committee will come to order.

Let the record show that Mr. Jackson and Mr. Velde and myself, constituting a quorum of the committee, are present.

Mr. ARENS. Ruth Heit. Kindly come forward.

Please remain standing while the chairman administers an oath to you.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, so help you, God?

Mrs. HEIT. I do.

**TESTIMONY OF MRS. RUTH HEIT, ACCOMPANIED BY COUNSEL,
PEARL M. HART**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. HEIT. My name is Ruth Heit, H-e-i-t. And I live at 1004 West Irving Park Road, Chicago, Ill.

Mr. ARENS. Complete your answer, if you please.

(The witness confers with her counsel.)

Mrs. HEIT. My occupation is not pertinent to this inquiry.

Mr. ARENS. Please complete your answer.

(The witness confers with her counsel.)

Mrs. HEIT. That is my answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. Witness, you are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer the question, based on my rights under the first and fifth amendments to the Constitution.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully what your occupation is you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. HEIT. Whatever I say is the truth. Nevertheless, I continue to decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record now reflect an order and direction by the chairman to the witness to answer the last principal question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I have already answered this question, Mr. Chairman. But I again repeat that I decline to answer this question upon my rights as guaranteed under the fifth amendment not to be compelled to be a witness against myself.

Mr. ARENS. In what type of proceeding?

(The witness confers with her counsel.)

Mrs. HEIT. That is a legal question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that counsel to the witness now be admonished that her sole and exclusive prerogatives, rights, and privileges here are to advise her client with respect to her constitutional rights, and not to suggest answers to the client.

Miss HART. May I make a reply?

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. HEIT. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mrs. HEIT. Yes; I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Miss HART. Yes, of course.

Pearl M. Hart, 30 North LaSalle Street, Chicago, Ill.

Mr. ARENS. Kindly tell us if you have produced before the committee, or if you have custody and control now of, the documents called for in the subpoena which was served upon you.

(The witness confers with her counsel.)

Mrs. HEIT. Mr. Chairman, the subpoena served on me commanded me—

Mr. ARENS. Just a moment.

Are you reading from a prepared statement?

Mrs. HEIT. Mr. Chairman, I beg leave—

Mr. ARENS. You are reading from a prepared statement, are you not? Please answer the question.

Mrs. HEIT. Yes; I am.

Mr. ARENS. Tell us the name of every Communist, to your certain knowledge, who participated in the preparation of that statement.

(The witness confers with her counsel.)

Mrs. HEIT. I object to your assumption that any Communist participated in helping me to prepare this statement.

Mr. ARENS. Do you deny that a Communist participated in the preparation of that statement?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer this question.

Mr. ARENS. Proceed, if you please.

Why do you decline to answer the question? Let's get the record straight on that.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. HEIT. I decline to answer that question under my rights as guaranteed by the fifth amendment to the Constitution.

(Representative Harold H. Velde returned to the hearing room at this point.)

Mrs. HEIT. Not to be compelled to be a witness against myself.

Mr. ARENS. Now proceed, if you please.

Mr. JACKSON. Again may I ask, is this a prepared statement?

Mrs. HEIT. I answered that question.

Mr. ARENS. I am uncertain as to whether it is or isn't.

Mrs. HEIT. I have prepared the statement, Mr. Jackson.

Mr. JACKSON. Very well. The rules are very clear on the matter of prepared statements, which must be submitted within a reasonable time.

Mrs. HEIT. Mr. Chairman, I beg leave——

I am not an attorney and I do not have the experience of counsel here for the committee in expressing myself in the kind of language which is required in a situation like this. And I feel that I am entitled to——

Mr. ARENS. You are represented by counsel.

Mr. Chairman, I respectfully——

Mrs. HEIT. Pardon me, Mr. Chairman. I am directing my question to you.

Mr. FRAZIER. Wait just a minute. Let's see what counsel said.

What did you say, Mr. Counsel?

Mr. ARENS. There is a question outstanding on the record, as I understand the status of the record.

Mrs. HEIT. What is the question, Mr. Counsel?

Mr. ARENS. A question directed by the gentleman from California.

Mr. JACKSON. I believe the question was answered, Mr. Counsel. She said it was a prepared statement.

Therefore, unless the statement is considered by the committee and is voted to be admitted by the committee, it is inadmissible under the rules of the committee.

Mrs. HEIT. Excuse me, Mr. Chairman. May I finish my question to you?

I simply wanted to explain and ask leave of the Chair to be permitted to explain my answer to a question which your counsel has asked me before.

Mr. ARENS. Just answer the question.

Do you have the records before you today called for in the subpoena which was served upon you? Yes or no.

(The witness confers with her counsel.)

Mr. FRAZIER. If you will answer that question we can get on.

Mrs. HEIT. I decline to answer that question.

Mr. FRAZIER. I direct you to answer it.

(The witness confers with her counsel.)

Mrs. HEIT. The subpoena served on me commanded me to produce——

Mr. JACKSON. Just a moment.

Mrs. HEIT. This is my answer, Mr. Jackson.

Mr. FRAZIER. Yes, Mr. Jackson.

Mr. JACKSON. The witness is reading from a prepared statement in violation of the rules of procedure of the committee.

Unless the statement is presented to the committee for its perusal, I shall continue to object. It is a violation of the rules under which this committee operates.

(The witness confers with her counsel.)

Mr. FRAZIER. Witness, you have just heard Mr. Jackson's statement, on the rules of the committee. I am sure your counsel understands that, whether you do or not. And you are not permitted to read from a statement unless it has been submitted to the committee

and they have passed on it and determined whether or not it is admissible.

You can go ahead and answer the question if you want to. But you are not permitted to read from a statement.

(The witness confers with her counsel.)

Mr. ARENS. Do you have the documents called for in the subpoena which was served upon you? Do you have them with you today?

Mrs. HEIT. Before I answer that question——

Mr. ARENS. Just answer the question.

Mrs. HEIT. May I simply ask leave to file this statement?

Mr. ARENS. Mr. Chairman, I suggest that the witness be now, on this record, ordered to answer that question.

(The witness confers with her counsel.)

Mrs. HEIT. I have answered the question, that I haven't got the records, and I would like to give the reasons.

Mr. ARENS. Are you now executive secretary of the Midwest Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer.

Mr. ARENS. Very well, we will go at it another way then.

Mr. Chairman, I respectfully suggest the witness' attention be directed to a document which has been identified in this record. It is the Lamp of the American Committee for Protection of Foreign Born under date of April 1956.

In this document, which we shall now exhibit to the witness, is set forth the description of the Midwest Committee for Protection of Foreign Born, Miss Ruth Heit, executive secretary.

(See exhibit No. 248, appendix, p. 7519.)

I also, Mr. Chairman, exhibit to the witness a telegram which is in custody of the Committee on Un-American Activities, directed to the chairman of this committee, signed "Ruth Heit, executive secretary, Midwest Committee for Protection of Foreign Born," requesting a postponement in her appearance before this committee.

(Document marked "Exhibit No. 376," see appendix, p. 7767.)

(The witness confers with her counsel.)

Mr. ARENS. Will you kindly look at those two documents and tell this committee while you are under oath whether or not they adequately and correctly describe you and your status as executive secretary of the Midwest Committee for Protection of Foreign Born?

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question under my rights as guaranteed by the first amendment, which guarantees me the right of free speech and association, and also under my rights under the fifth amendment which guarantees that a witness may not be compelled to testify against one's self.

Mr. ARENS. Now, Mr. Chairman, in view of the status of this record and the identity of this witness on the record as executive secretary of the Midwest Committee for Protection of Foreign Born, I respectfully suggest that the subpoena duces tecum be at this point incorporated in the appendix to the record, and that the record reflect an

order and direction to this witness now to produce before the committee the documents called for in the subpoena duces tecum.

(Document marked "Exhibit Nos. 377 and 378," see appendix, pp. 7768, 7769.)

Mr. FRAZIER. It may be done.

And I direct you to produce the records as named in the subpoena duces tecum.

(The witness confers with her counsel.)

Mr. ARENS. Now, ma'am, please tell—

Mr. JACKSON. Wait a minute.

There is a direction for the immediate production of the records.

Mrs. HEIT. I refuse to produce the records.

Mr. ARENS. Now, ma'am, where were you on the night of November 16? Do you recall?

(The witness confers with her counsel.)

(Committee members present: Representatives Frazier, Velde, and Jackson.)

Mrs. HEIT. I don't remember.

Mr. ARENS. Do you recall being in a little meeting at the YMCA, 19 South La Salle Street?

(The witness confers with her counsel.)

Mrs. HEIT. No. I don't recall that.

Mr. ARENS. Were you at a meeting, on or about November 16, of the Midwest Committee for Protection of Foreign Born officials at the YMCA Building at 19 South La Salle Street?

(The witness confers with her counsel.)

Mrs. HEIT. I refuse to answer.

Mr. ARENS. The fact is you were at that meeting on November 16 and you made a statement to the comrades there assembled, including others—

Mrs. HEIT. Mr. Chairman—

Mr. ARENS (continuing). That there will be a surprise for the committee when it arrives in Chicago, and that there should be a solicitation of petitions against this committee.

I put that to you as a fact and ask you while you are under oath to affirm or deny that.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer.

Mr. ARENS. Now we exhibit to you a document prepared by the Midwest Committee for Protection of Foreign Born, an original document which has been circulated, so our investigation discloses, among certain groups and organizations in Chicago, setting forth the subpoena duces tecum which was served upon you, and calling upon the recipients to do a number of things, including contacting their representatives in Congress, the signing of protests against the committee and against the procedures of the committee.

Kindly look at this document with its attachment and tell this committee now while you are under oath whether, to your certain knowledge, that document was prepared and circulated by the Midwest Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 379," see appendix, pp. 7770, 7771.)

(The witness confers with her counsel and examines document.)

Mrs. HEIT. Well, Mr. Counsel, I refuse to answer this question.

Mr. ARENS. Why?

Mrs. HEIT. It is completely irrelevant to the purpose of this investigation.

In addition, I feel it violates my rights under the first amendment which guarantees me——

Mr. ARENS. In order to set your mind clear on the relevance of it, may I tell you now that this committee is here in Chicago in the course of a series of hearings to undertake to develop information respecting the activities of the Communist conspiracy on what we call political subversion.

You just look at that document and tell us whether or not, to your certain knowledge, that was prepared by people known by you to be in the Communist conspiracy.

(The witness confers with her counsel.)

Mrs. HEIT. I answered that question, Mr. Counsel.

Mr. ARENS. Answer it again.

Mrs. HEIT. I decline to answer that question on the grounds of the first amendment, which guarantees the freedom of speech and association and press, and on the grounds of the fifth amendment.

Mr. ARENS. Are you now a Communist?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. Now, how long have you lived in the area of Chicago?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question under my rights as guaranteed by the first amendment and by the fifth amendment.

Mr. ARENS. Where did you live prior to the time you came to Chicago?

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. The fact is you lived in New York City and were sent to Chicago by the Communist conspiracy to take over the work of the Midwest Committee for Protection of Foreign Born.

Isn't that true? If it isn't, deny it while you are under oath.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that.

Mr. ARENS. What was your maiden name?

Mrs. HEIT. I decline to answer that.

Mr. ARENS. Your maiden name was Ruth Geiser, was it not, G-e-i-s-e-r, Geiser?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were a leading light of the Stuyvesant Club of the Communist Party in New York City prior to the time that you came to Chicago.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. Now in New York City you did a little tutoring, did you not? In fact, you taught at the Jefferson School of Social Science in New York, did you not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. And you were also active in the Civil Rights Congress in New York City prior to the time that you came to Chicago, were you not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. And you were also administrative secretary of the Communist-controlled American Committee for Protection of Foreign Born, were you not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer on the grounds of the first amendment, which guarantees the right and the freedom of association, press, and speech, and also on the grounds of the fifth amendment, not to be compelled to be a witness against myself.

Mr. ARENS. Who is Abner Green? Do you know him?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Abner Green is a hard-core agent of the Communist conspiracy, is he not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. He was your boss when you were working for the American Committee for Protection of Foreign Born, was he not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Did you know that Abner Green testified before the Subversive Activities Control Board in February of 1956?

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer.

Mr. ARENS. You accompanied Abner Green to Washington when he testified, did you not?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer that question.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer on the grounds of the first amendment which guarantees me the right of association.

And also under the fifth amendment which guarantees that I may not be compelled to testify against myself.

Mr. ARENS. Now I would like to lay before you the letterhead of the New York Committee for Protection of Foreign Born, July 7, 1954, and on this letterhead of the New York Committee for Protection of Foreign Born we see Administrative Secretary Ruth Heit.

Look at that and see if you can't help this committee of the Congress, your Government, by verifying the authenticity of that designation.

(The witness examines document and confers with her counsel.)

Mrs. HEIT. What is the question, Mr. Counsel?

Mr. ARENS. See if you can't help this committee of the Congress by telling us whether or not you will verify the authenticity of that designation of yourself in connection with the New York Committee for Protection of Foreign Born.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer that question, and also feel that this is impertinent and irrelevant to the investigation.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. HEIT. I have answered the question, that I decline to answer.

Mr. ARENS. The record is clear you have been ordered and directed to answer that question, is it not?

You have not at this point invoked the fifth amendment.

Mrs. HEIT. I decline to answer on the grounds of the first amendment, which guarantees me the right of association and press and speech. And also on the grounds of the fifth amendment.

Mr. ARENS. Now we lay before you a reproduction of the letterhead of the New York Conference To Defend the Rights of Foreign Born Americans, Administrative Secretary Ruth Heit.

Apparently you had two jobs there.

Please look at that letterhead and see if you won't confirm the authenticity of that letterhead.

(See exhibit No. 113, appendix, p. 7295.)

(The witness examines document.)

Mr. APPELL. Left-hand column.

(The witness confers with her counsel.)

Mrs. HEIT. I decline to answer.

(The witness confers with her counsel.)

Mr. ARENS. Now I display to you a summary of the proceedings of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims, held in Chicago December 12 and 13, 1953; particularly the reference to "reports on Meetings of National Groups * * * Jewish—Ruth Heit."

Please look at this document and see if you won't help this congressional committee by verifying the authenticity of your participation in that conference representing the nationality groups.

(See exhibit V, appendix, p. 8343.)

(The witness examines document and confers with her counsel.)

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. HEIT. I decline to answer on the grounds of the first amendment, which guarantees me the freedom of association. And also on the fifth amendment, which guarantees that I may not be compelled to be a witness against myself.

Mr. ARENS. Now we are going to display to you a copy of the Communist Daily Worker of September 1954. There is an article there: Demo Platform Body Hears People's Needs.

If you look there at the continuation of the story, which appears on page 4, you will find that the story quotes Miss Ruth Heit of the New York Committee for Protection of Foreign Born, as calling upon

the Democratic Party to strike back on the mass deportation drive being threatened by the McCarran-Walter Act.

Tell this committee now while you are under oath, did you appear before the Democratic platform committee, I assume in the State of New York, and call upon that organ of a great political party to strike back against mass deportations?

(Document marked "Exhibit No. 380," see appendix, p. 7772.)

(The witness examines document.)

Mr. ARENS. Did you do all that?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Did you identify yourself when you appeared before the Democratic platform committee as a member of the Communist conspiracy?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

(Committee members present: Representatives Frazier, Velde, and Jackson.)

Mrs. HEIT. Mr. Chairman, I would like to object to the assumption on the part of counsel in the question that he has placed to me.

Mr. ARENS. If that question, if that assertion isn't true, while you are under oath, ma'am, you deny it.

Mrs. HEIT. At the same time I wish to decline to answer it on the grounds of the first amendment and on the grounds of the fifth amendment.

Mr. ARENS. Now we exhibit to you a document relating to the Chicago Jewish Committee for Protection of Foreign Born.

Please look at that document, this leaflet, telling all about horrible things that are happening to innocent citizens under the McCarran-Walter Act, and tell this committee whether or not, to your certain knowledge, this Chicago Jewish Committee for Protection of Foreign Born is controlled lock, stock, and barrel by the Communist conspiracy. If it isn't, to your certain knowledge, deny it while you are under oath.

(Document marked "Exhibit No. 381a, b," see appendix, pp. 7773, 7774.)

(The witness examines document and confers with her counsel.)

Mrs. HEIT. I decline to answer.

Mr. JACKSON. Does the witness find this proceeding extremely humorous?

Mrs. HEIT. No; I don't. On the contrary, I find it extremely—

Mr. JACKSON. One would gather the impression that you think this is a very humorous affair.

(The witness confers with her counsel.)

Mr. ARENS. Do you know Dorothy Weber.

Mrs. HEIT. I decline to answer.

Mr. ARENS. We display to you now several documents, all from the James Keller Defense Committee in Chicago, an action program to defend James Keller and other McCarran-Walter law victims.

Accompanying them is a letterhead of the James Keller Defense Committee, Dorothy Weber, secretary.

Kindly look at those documents and tell this committee now while you are under oath whether or not, to your certain knowledge, the James Keller Defense Committee was created by the Communist Party in Chicago.

(Documents marked "Exhibits Nos. 382 and 383a, b," see appendix, pp. 7775-7780.)

(The witness confers with her counsel and examines documents.)

Mrs. HEIT. Mr. Counsel, I decline to answer.

But I really fail to see why you bring in this implication in your question.

Mr. ARENS. Do you know of the James Keller Defense Committee?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Now we want to display to you a document published by the Midwest Conference To Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans, under the auspices of the Midwest Committee for Protection of Foreign Born. And particularly we want to invite your attention to the list of people here facing deportation. Apparently there are some 80 people listed here. I am not certain of the number. There is quite a number of people listed who are facing deportation.

I want you to look at that list there and tell this committee if you know of a single person on this list who was facing deportation who was not a member of the Communist Party.

(The witness examines document and confers with her counsel.)

Mrs. HEIT. I decline to answer that question.

Mr. ARENS. Did you make the arrangements for the conference alluded to in that last exhibit?

Mrs. HEIT. I decline to answer.

Mr. ARENS. I want to display to you now a letter addressed to myself, Mr. Richard Arens, director, Committee on Un-American Activities, dated November 21, 1956, from the Midwest Hotel Catering Corp., in which the author of the letter for this corporation states that the arrangements for this conference were made by Ruth Heit.

Please look at this letter and see if the author of this letter is giving us a truthful statement.

(Document marked "Exhibit No. 384," see appendix, p. 7781.)

(The witness examines document and confers with her counsel.)

Mrs. HEIT. I am not responsible for what anybody else writes.

Mr. ARENS. Just tell the committee whether or not he told me the truth or whether he was lying when he said you made the arrangements for that conference.

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Now we want to back up a little bit in the chronology just so that this record is clear.

We have here a copy of the New Pioneer. This New Pioneer is a magazine which lists a number of people on the advisory board, the readers' advisory board, including one Ruth Geiser, G-e-i-s-e-r.

(Document marked "Exhibit No. 385a, b," see appendix, pp. 7782, 7783.)

Is that Geiser?

Mrs. HEIT. It is Geiser.

Mr. ARENS. How did you know it was Geiser?

(The witness confers with her counsel.)

Mr. ARENS. How did you know it was Geiser?

Mrs. HEIT. Because I saw it.

Mr. ARENS. You saw it where?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect a crystal-clear order to this witness to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. HEIT. I refuse to answer this question on the grounds that it is not pertinent or relevant to this inquiry, and also on the grounds of the first amendment and on the grounds of the fifth amendment.

Mr. ARENS. Mr. Appell, would you kindly display this to the witness and see if she can't help this committee of the Congress verify the authenticity of that designation.

Mrs. HEIT. I decline to answer.

Mr. ARENS. Now we have a copy of the 1937 Young Communist League of America yearbook. The yearbook of the Young Communist League of America, listing the people who sent greetings.

We see the name of Ruth Geiser appearing here.

Look in this reproduction of the Young Communist League yearbook and tell this committee while you are under oath whether or not that that name identifies you.

(Document marked "Exhibit No. 386," see appendix, pp. 7784-7786.)

(The witness examines document and confers with her counsel.)

Mrs. HEIT. I decline to answer because this is not pertinent to any of the questions raised in the subpoena, which covers a period from 1953 to 1956.

And I also decline to answer on the grounds of the first amendment and the fifth amendment.

Mr. ARENS. We want to display to you a document that perhaps you can help us with. It is a bulletin of the Jefferson School of Social Science announcing the courses to be taught. And the course in Yiddish is being taught, according to this document, by Ruth Heit.

And the same publication: another course in Yiddish is being taught by Ruth Heit, Jefferson School of Social Science, fall, 1951.

Look at that document and tell us whether or not you are the Ruth Heit that was teaching these courses at the Jefferson School of Social Science.

(Document marked "Exhibit No. 387," see appendix, pp. 7787-7789.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. We will display at this time still another bulletin of the Jefferson School of Social Science, the winter term of 1952, in which your name appears.

(Document marked "Exhibit No. 388," see appendix, pp. 7790, 7791.)

(The witness examines document.)

Mrs. HEIT. I decline to answer.

Mr. ARENS. Why?

Mrs. HEIT. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. HEIT. I decline to answer on the grounds that the questions are not relevant to the subject of the inquiry. And also on the grounds of the first amendment and the fifth amendment.

Mr. JACKSON. Mr. Chairman, on the grounds of this matter of relevancy, I can imagine nothing more relevant than to determine whether or not one who has spent a very long period of time in the Communist Party has become active in an organization which is attacking federal legislation.

It certainly is a matter that is relevant and within the scope of this committee to inquire into.

I simply want it on the record, Mr. Chairman.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mrs. HEIT. Mr. Chairman, before you conclude the interrogation, may I ask leave to file my statement with your committee that was prepared here?

Mr. FRAZIER. You may file it.

(The statement referred to was filed for the information of the committee.)

Mr. ARENS. The next witness, if you please, Mr. Chairman——

Mr. FRAZIER. Wait a minute.

Miss HART. I thought she was dismissed.

Mr. VELDE. I have no questions.

Mr. JACKSON. I have no questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Mr. Ernest DeMaio.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, so help you God?

Mr. DEMAIO. I do.

TESTIMONY OF ERNEST DeMAIO, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. DEMAIO. Ernest DeMaio, Chicago, Ill. I am the district president of the United Electrical, Radio & Machine Workers of America.

Mr. ARENS. You are appearing today, Mr. DeMaio, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DEMAIO. That is right, sir.

Mr. ARENS. You are represented by counsel?

Mr. DEMAIO. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. MEYERS. Irving Meyers, 188 West Randolph Street, Chicago, Ill.

Mr. ARENS. Mr. DeMaio, do you know a man by the name of Czarnowski?

Mr. DEMAIO. Will you identify him?

Mr. ARENS. Mr. Czarnowski, are you in the hearing room?

Were you in the hearing room this morning when Mr. Czarnowski——

Mr. DEMAIO. Yes.

Mr. ARENS. When he testified?

Mr. DEMAIO. I was in the hearing room this morning.

Mr. ARENS. Mr. Czarnowski testified, while he was an undercover agent for the Federal Bureau of Investigation, serving his Government in the Communist Party, he knew you as a Communist.

Was Mr. Czarnowski lying or was he telling the truth?

Mr. DEMAIO. I am going to refuse to answer that question, Mr. Counsel.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. DEMAIO. I have refused to answer that question, Mr. Chairman, and all similar questions on my views, affiliations, or lack of them, associations or lack of them, because they invade my rights under the first amendment of the Constitution.

I will also refuse to answer any questions concerning any activities or lack of them regarding legislation because I believe that they invade my right under another section of the first amendment where the people are guaranteed the right to petition their Government for redress of grievances.

I further will refuse that and all future questions of a similar nature, that this committee may direct to me, based on my rights under the fifth amendment, and, in so doing, Mr. Chairman, I want to make clear that those words were placed in the Constitution to protect the innocent, and the use or invocation of the fifth amendment is no evidence of crime or wrongdoing.

And in invoking the first and fifth amendment, I have that in mind.

(The witness confers with his counsel.)

Mr. ARENS. Are you innocent of any participation in the Communist conspiracy?

Mr. DEMAIO. I have already answered the question.

Mr. ARENS. Then answer it again.

Mr. DEMAIO. Was the answer not clear, sir?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. DEMAIO. I had hoped to save this committee some time, as well as myself.

If you wish to have the answer repeated, I would like to ask the secretary—

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness be again ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. DEMAIO. I refuse to answer the question for the reasons already stated.

Mr. ARENS. Do you know a man by the name of Walter W. Ramsey?

Mr. DEMAIO. Will you identify him?

Mr. ARENS. Mr. Ramsey appeared before the Committee on Un-American Activities and identified you as a person he knew to be a member of the Communist Party.

Was Mr. Ramsey lying or was he telling the truth?

Mr. DEMAIO. I refuse to answer that question for the reasons already stated.

Mr. ARENS. Now we would like to display to you certain exhibits.

Perhaps you can help this Committee on Un-American Activities defend the Constitution.

Mr. DEMAIO. I will be happy to help this committee, Mr. Counsel, now or any other time.

Mr. ARENS. Thank you.

Tell this committee then, as you look at the first one—it is a reproduction of an article which appeared in the Communist Daily Worker of June 7, 1951. It identifies you as chairman of a conference which honored Ferdinand Smith and others at the Packing House Working Center on June 9, 1951.

(Document marked "Exhibit No. 389," see appendix, p. 7792.)

(The witness examines document and confers with his counsel.)

Mr. ARENS. Please help this committee by telling us whether or not you are accurately identified there and whether or not you were a chairman of this conference.

Mr. DEMAIO. I refuse to answer that question for the reasons I have already stated.

Mr. ARENS. Now did you attend a conference in 1953, a 'Midwest Conference to Defend the Bill of Rights, held at the United Electrical Workers Hall, 37 South Ashland Boulevard in Chicago?

Mr. DEMAIO. I refuse to answer the question; the same reasons.

Mr. ARENS. "Warning. The Walter-McCarran Law vs. U. S. Liberty." "Police-State Conditions."

I am reading from this exhibit.

The speakers at this big rally to be held, according to this announcement, under the auspices of the Midwest Committee for Protection of Foreign Born, includes an Ernest DeMaio.

Please look at that document as it is displayed to you and tell this committee while you are under oath whether or not you were one of the leaders and speakers at that gathering.

(Document marked "Exhibit No. 390," see appendix, pp. 7793, 7794.)

(The witness examines document and confers with his counsel.)

Mr. DEMAIO. I refuse to answer that question; the same reasons.

Mr. ARENS. You have in the past taken quite a stand with reference to the Constitution, have you not, in some of your writings?

(The witness confers with his counsel.)

Mr. DEMAIO. Will you repeat that question, sir?

Mr. ARENS. Yes.

Have you been an author of certain articles in the March of Labor with reference to defending the Constitution against witch hunts?

Mr. DEMAIO. I refuse to answer that question.

Mr. ARENS. You wouldn't be ashamed of that, would you? Telling the world about how you stand on witch hunts and defending the Constitution?

(The witness confers with his counsel.)

Mr. DEMAIO. I refuse to answer that question.

Mr. ARENS. Let's look here.

We have an article from the March of Labor:

"Will the Hight Court Brake the Witch Hunt?" By Earnest DeMaio.

"Congressional witch-hunters down to size."

The congressional witch hunters—Velde, Jenner and company—are destroying the Constitution, tied up with the money grabbers, blacklisting people, destroying civil liberties, and the like.

And in the upper left-hand corner we see a quotation from the Constitution.

Now look at that article and tell us, as one of the defenders of the Constitution, if you are the author of that article.

(Document marked "Exhibit No. 391," see appendix, pp. 7795, 7796.)

(The witness examines document.)

Mr. DeMAIO. I refuse to answer that question.

Mr. ARENS. When you wrote that article were you at that time a member of a conspiracy designed to destroy the Constitution that you were writing about?

Mr. DeMAIO. I am not sure that I understand the question.

Mr. ARENS. The Communist Party, which has been found by the Supreme Court of the United States and every congressional committee that has studied it, the Attorney General, all agencies of the Government, as a conspiratorial operation.

Were you a member of the Communist Party when you wrote that article?

Mr. DeMAIO. I am still not clear on that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. Witness, you are directed to answer the question. It is a very clear question: whether you were a member of the Communist Party.

Mr. DeMAIO. I will answer it, Mr. Chairman.

The reason I say I am not clear on it: Counsel here, his last employer, stated that the Supreme Court, in its decision on desegregation, was part on the Communist conspiracy.

I am not clear on that.

Mr. ARENS. Who is this you are talking about, please?

Mr. DeMAIO. You.

Mr. ARENS. You are not suggesting—a great patriot such as you—you are not suggesting this guilt-by-association process here before this committee, are you?

Mr. DeMAIO. I am only suggesting that I wasn't clear on the question, Mr. Chairman.

Mr. ARENS. Let's get clear on the question.

When you wrote that article in March of Labor, were you a member of the Communist Party?

Mr. DeMAIO. I refuse to answer that question; same reason.

Mr. ARENS. Now we lay before you still another document, the Communist Daily Worker, Thursday, June 23, 1949. This document here quotes one Ernest DeMaio as attacking Judge Medina.

Judge Medina's court is obviously no courtroom of justice.

This is all with reference to the jailing of the Communist agent, Gil Green.

Look at that article and tell this committee now while you are under oath whether or not you were accurately quoted there in attacking Judge Medina, contending that his courtroom was not a place of justice.

(Document marked "Exhibit No. 392," see appendix, p. 7797.)

Mr. DeMAIO. I refuse to answer that question; same reasons.

Mr. ARENS. Why?

Mr. DeMAIO. Same reasons I have already given.

Mr. ARENS. Now we would like to invite your attention to still some other activities of yourself as evidenced by some of these documents.

We have here a document headed "The National Nonpartisan Committee To Defend the Rights of the 12 Communist Leaders."

You are listed here as one of the founders of this committee from the State of Illinois.

Please look at this document, this letterhead, and tell this committee whether or not you are one of the initiators of this organization to defend the 12 Communist traitors.

(Document marked "Exhibit No. 393," see appendix, pp. 7797-7799.)

(The witness examines document.)

Mr. DeMAIO. I refuse to answer that question.

Mr. ARENS. Now in your allegiance to the Bill of Rights and to the Constitution did you join with a number of others in sponsoring a Bill of Rights Conference in New York City in 1949, all to save the Bill of Rights?

A very laudable objective.

Did you do all that?

Mr. DeMAIO. I decline to answer.

Mr. ARENS. You wouldn't be ashamed of anything you did to save the Bills of Rights, would you?

Mr. DeMAIO. I decline to answer.

Mr. ARENS. Please look at this document: 1,300 plan a fight to save the Bill of Rights, including Ernest DeMaio, Midwest CIO, United Electrical leader.

Please look at that and tell this committee if you can't help us out, telling us, as anyone ought to, with pride, what you have done to save the Bill of Rights.

(Document marked "Exhibit No. 394," see appendix, p. 7799.)

Mr. DeMAIO. I decline to answer the question; same reasons.

Mr. ARENS. You have also been a great fighter for peace, haven't you?

(The witness confers with his counsel.)

Mr. DeMAIO. Is that a question?

Mr. ARENS. Yes. Yes, we would like to know.

Mr. DeMAIO. I decline to answer that question.

Mr. ARENS. You couldn't be ashamed of fighting for peace, could you? It is a very laudable objective.

Mr. DeMAIO. I decline to answer the question.

Mr. ARENS. Now while our boys were dying with their hands tied behind their backs in Korea, did you join with others in a statement condemning what you called aggression by the United States in Korea?

Look at this article here appearing in the Daily Worker of July 7, 1950, and tell this committee whether or not, while our boys were dying with their hands tied behind their backs in Korea, you joined in the statement condemning this Nation under whose flag you obtain protection from aggression.

(Document marked "Exhibit No. 395," see appendix, p. 7800.)

(The witness examines document and confers with his counsel.)

Mr. DeMAIO. I decline to answer the question; same reasons.

Mr. ARENS. Did you feel you were serving the interests of the Constitution and the protection of this Nation in joining in that statement?

Mr. DeMAIO. I decline to answer the question; same reasons.

Mr. ARENS. Now have you ever applied for a passport?

(The witness confers with his counsel.)

Mr. DeMAIO. I decline to answer that question; same reasons.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. DeMAIO. I refuse to answer that question for the reasons I have already stated plus the valid legislative purpose—the invalid legislative purpose.

Mr. ARENS. We display to you now a photostatic copy of the New York Times of November 12, 1950 (p. 1), quoting the Secretary of State, or quoting the State Department, in a denial of a passport to you, in which you applied for a passport to go to the World Peace Congress held behind the Iron Curtain in Warsaw, Poland.

Look at this document and tell this committee while you are under oath whether or not you were one of the leaders of this movement at the World Peace Congress.

(Document marked "Exhibit No. 396," see appendix, pp. 7800, 7801.)

Mr. DeMAIO. I refuse to answer that question: the same reasons.

Mr. ARENS. Well, you have been active in peace right here at home; haven't you?

We have, now, a document, the minutes of the sponsors' meeting of the American Peace Crusade, held in Washington, the Nation's Capital.

We see here that one of the members of the planning committee for this group is Ernest DeMaio.

Was that you?

(Document marked "Exhibit No. 397," see appendix, pp. 7801, 7802.)

Mr. DeMAIO. I decline to answer that question.

Mr. ARENS. You wouldn't be ashamed of fighting for peace, would you? And fighting for it in the Nation's Capital? Unless, of course, you were doing so surreptitiously to serve the interests of a foreign-controlled conspiracy?

Mr. DeMAIO. Is that a question?

Mr. ARENS. Yes, sir.

Were you a member of the Communist Party conspiratorial apparatus when you were in Washington, D. C., with the American Peace Crusade?

Either answer that now or take the fifth amendment.

Mr. DeMAIO. I don't think it is necessary for the counsel to shout. I can hear him. I am only a few feet from him.

I refuse to answer that question for the reasons already stated.

Mr. ARENS. I lay before you the March 26, 1951 issue of the Peace Crusader of the American Peace Crusade, declaring: "2,500 pilgrimage delegates plan new peace drive."

You are listed there as one of the sponsors.

Please tell this committee while you are under oath whether you are accurately designated.

(Document marked "Exhibit No. 398," see appendix, pp. 7803-7809.)

Mr. DeMAIO. I refuse to answer the question for the reasons already stated.

Mr. ARENS. Now we have a leaflet: "Come to Washington and tell your Congressman you want peace."

This is in April of 1952—"Delegates' National Assembly for Peace"—a laudable objective.

One of the sponsors listed here is Ernest DeMaio.

Look at that and tell this committee while you are under oath if you are he.

(Document marked "Exhibit No. 399," see appendix, p. 7810.)

(The witness examines document.)

Mr. DeMAIO. I refuse to answer that question for the reasons already stated.

Mr. ARENS. We have an article from the Daily Worker (April 10, 1953, p. 6): "Urge President to meet Malenkov."

(The witness confers with his counsel.)

Mr. ARENS. Malenkov was a top official of Soviet Russia, was he not?

And on April 10, 1953, we see a number of people urging the President to meet Malenkov, as reported by the Communist Daily Worker, including one Ernest DeMaio.

Look at that document and tell us whether or not you recall joining in that operation.

(Document marked "Exhibit No. 400," see appendix, p. 7811.)

(The witness examines document.)

Mr. DeMAIO. I decline to answer that question; same reasons.

Mr. ARENS. Are you presently connected with the Midwest Committee for Protection of Foreign Born?

Mr. DeMAIO. I decline to answer that question.

Mr. ARENS. Are you presently connected with the American Committee for Protection of Foreign Born?

Mr. DeMAIO. I decline to answer that question also, for the same reasons.

Mr. ARENS. Are you this moment a member of the Communist conspiratorial apparatus?

Mr. DeMAIO. I decline to answer that question, for the same reasons.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions?

Mr. VELDE. No questions.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. No questions.

Mr. MEYERS. Is this witness released?

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Helen Lewis, kindly come forward.

Mr. FRAZIER. Will you hold up your right hand?

Do you solemnly swear that the testimony to be given at this hearing will be the truth, the whole truth, so help you God?

Mrs. LEWIS. I do.

TESTIMONY OF MRS. HELEN LEWIS, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. LEWIS. My name is Helen Lewis. I live at 1508 Juneway Terrace, Chicago, Ill. And I am a housewife.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. LEWIS. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. LEWIS. Yes.

Mr. ARENS. Will counsel kindly identify yourself.

Mr. STEINBERG. Irving G. Steinberg, 180 West Washington.

Mr. ARENS. How long have you resided in Chicago?

Mrs. LEWIS. I decline to answer that, sir, under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. LEWIS. I shall decline to answer, sir, under the fifth amendment.

(The witness confers with her counsel.)

Mr. ARENS. What State did you live in prior to the time that you came to Chicago?

Mrs. LEWIS. I shall decline to answer that, sir, under the fifth amendment and under the first amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered and directed to answer that question.

(The witness confers with her counsel.)

Mrs. LEWIS. Would you kindly repeat the question?

Mr. ARENS. Where did you live prior to the time you came to Chicago?

Mrs. LEWIS. Yes, I remember. I had forgotten for a moment.

I will decline to answer that, sir, under that part of the Constitution and that part of the fifth amendment which guarantees me the right not to testify against myself.

Mr. ARENS. We now exhibit to you a document, the letterhead of the Midwest Committee for Protection of Foreign Born, showing, among the sponsors of that organization, the name Helen Lewis.

Please look at that document and tell the committee whether or not you are accurately identified in that document.

(Document marked "Exhibit No. 401," see appendix, p. 7812.)

Mrs. LEWIS. While the gentleman is coming over, may I ask him for a glass of water?

Mr. ARENS. Surely.

Mrs. LEWIS. And would it be impolite for me to smoke?

Mr. ARENS. They don't permit smoking in the courtroom.

I am advised by the chairman that I was in error in the interpretation of what I thought was the rule. I understand you may smoke.

Mrs. LEWIS. I just didn't want to appear unladylike, but I would feel calmer if I did.

Mr. FRAZIER. I have permitted counsel to smoke at the table this morning.

Mrs. LEWIS. Thank you, sir, very much.

Mr. FRAZIER. I don't think I should deny you that privilege if you want to exercise it.

Mr. ARENS. Please tell the committee whether or not you are properly identified there as one of the officers or sponsors of the Midwest Committee for Protection of Foreign Born.

Mrs. LEWIS. I shall decline, sir, to answer that question under the first amendment and, likewise, under the fifth amendment.

Mr. ARENS. Now, according to the program of the 20th Anniversary Conference of the American Committee for Protection of Foreign Born, which was held here in Chicago in 1951, you were chairman of the women's panel of that group.

Look at this program and see if it refreshes your recollection. See if you can help this committee of the Congress develop information. (See exhibit III, appendix, pp. 8303-8316.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Can't you help us?

Mr. STEINBERG. I want to—

(Counsel for the witness confers with Mr. Appell.)

Mrs. LEWIS. I use my privilege, sir, under the first amendment, which guarantees me the right of freedom of speech and freedom of association, and, likewise, under the fifth amendment.

Mr. ARENS. Who is or was Emma Lazarus?

(The witness confers with her counsel.)

Mr. ARENS. You know that, and there is no reason why you shouldn't tell us.

(The witness confers with her counsel.)

Mrs. LEWIS. It is public knowledge that Emma Lazarus is the poetess whose inscription is on the Statue of Liberty.

Mr. ARENS. And you are president of the Emma Lazarus Federation at the present time; are you not?

Mr. STEINBERG. She didn't finish her answer.

Mr. ARENS. We will take care of things, Counsel.

You are president of the Emma Lazarus Federation at the present time; are you not?

(The witness confers with her counsel.)

Mrs. LEWIS. Would you kindly repeat the question?

Mr. ARENS. Are you president of the Emma Lazarus Federation at the present time?

Mrs. LEWIS. Sir, Emma Lazarus was a very famous poet. She was internationally known. And I think that what she wrote on the Statue of Liberty we all subscribe to wholeheartedly.

You asked me about the poem?

Mr. ARENS. No. I am asking you now about the federation. Are you president of the Emma Lazarus Federation?

(The witness confers with her counsel.)

Mr. ARENS. You can help the committee. We have had experience that the Communists use beautiful names, American names, and pervert them for subversive purposes. For example, they established an Abraham Lincoln Brigade to go help fight for the Communist causes. They do that right along.

They have a Jefferson School of Social Science.

Now tell us, Are you president of the Emma Lazarus Federation?

Mrs. LEWIS. Sir, I suppose that when I asked if I might smoke a cigarette you might realize that in the present setting I truly feel extremely apprehensive of answering that question, and shall claim my right under the first amendment and under the fifth amendment.

Mr. ARENS. Emma Lazarus was a lovely woman, was she not, and a great poet?

Mrs. LEWIS. Yes; she was.

Mr. ARENS. And one who wrote inspiring verse; did she not?

Mrs. LEWIS. Yes.

Mr. ARENS. And her verse is inscribed on the Statue of Liberty.

Give me your tired, your poor
Your huddled masses yearning to breathe free.

She wrote all that; didn't she?

Mrs. LEWIS. I am sure you feel very proud of that, sir.

Mr. ARENS. You tell us what you have done to commemorate her name.

Are you president of an organization that bears her name?

(The witness confers with her counsel.)

Mr. ARENS. I think you ought to be proud if you are, unless that organization happens to be part of a conspiratorial apparatus.

Now tell this committee while you are under oath: Are you president of the Emma Lazarus Federation?

Mrs. LEWIS. Sir, I am exceedingly apprehensive in the present setting, and I shall refuse to answer that question, on the first amendment and on the fifth amendment, particularly under that part of the fifth amendment which guarantees me the right not to testify against myself.

Mr. ARENS. Against yourself in a criminal proceeding?

Mrs. LEWIS. Well, I feel so harassed and very apprehensive.

Mr. ARENS. We don't mean to harass you. We only want the facts and only want the truth.

Do you honestly feel that if you told this committee truthfully whether or not you are president of the Emma Lazarus Federation—

Mrs. LEWIS. I only speak the—

Mr. ARENS. —you would divulge information that might be used against you in a criminal proceeding? Just tell us that.

Mrs. LEWIS. I always speak the truth.

Mr. ARENS. So we know whether or not you are using the fifth amendment in good faith.

Mrs. LEWIS. I speak the truth, and I have answered that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer that question.

(The witness confers with her counsel.)

Mrs. LEWIS. I said before, sir, and I say again, that I refuse to answer or decline to answer—whichever is the proper word to use—under the first amendment and, likewise, under that part of the fifth amendment which guarantees me the right not to testify against myself.

Mr. ARENS. In what kind of proceeding? You seem to have pretty good language there. What kind of proceeding?

Mrs. LEWIS. In any kind of proceeding.

Mr. ARENS. It is a proceeding in which you would be giving information which could be used against you in a criminal action. Isn't that true? Didn't your lawyer tell you that?

Mrs. LEWIS. I am apprehensive, sir.

Mr. ARENS. Now tell us: In 1954 the American Committee for Protection of Foreign Born had a big national conference in New York City, and we see you here as one of the leaders of that conference, and one who reported for the women's panel.

Look at this proceeding here and tell the committee while you are under oath whether or not you are accurately identified as one who reported for the women's panel of the American Committee for Protection of Foreign Born in this big rally and conference in New York City.

(See exhibit VI, appendix, p. 8374.)

(The witness examines document and confers with her counsel.)

Mrs. LEWIS. In the present context, sir, and the present circumstances, I use the first amendment and the fifth amendment of the Constitution of the United States.

Mr. ARENS. Are you now a member of an organization dedicated to the destruction of the Constitution of the United States?

Mrs. LEWIS. I refuse to answer that question.

Mr. ARENS. Now, ma'am, I want to invite your attention to an article appearing in the National Guardian (August 22, 1955). Before doing so I want to ask you; who was Cedric Belfrage?

(The witness confers with her counsel.)

Mrs. LEWIS. I refuse to answer that.

Mr. ARENS. He was a Communist that was deported; was he not?

Mrs. LEWIS. I refuse to answer that question.

Mr. ARENS. Here is something I would like to read to you.

Au Revoirs for Belfrage.
Chicago, Illinois.

As reported in the National Guardian:

Parting is such bitter sorrow but sweet from many struggles we've been through together. We'll miss your wit, your great fund of information, and you—We envy Great Britain for getting you back temporarily. But we expect you over here again soon with that sharp and wonderful pen of yours and the serious smile.

Best of luck in the meantime, and love from all of us.

Sent by a number of people, all of whom have been identified somehow or other as Communists. And we see Helen E. Lewis appearing here.

Please look and see if you affixed your signature to that sentimental note to Belfrage to take on his journey at the request of the Government of the United States.

Mr. JACKSON. That was one mess we were well rid of appearing before this committee. That justified every act we ever have taken against him.

Mr. ARENS. Please look at that letter and tell us whether or not you signed it.

(Document marked "Exhibit No. 402," see appendix, p. 7813.)

(The witness examines document and confers with her counsel.)

Mrs. LEWIS. I shall decline to answer, sir, under the fifth amendment.

Mr. ARENS. Could you tell the committee what you have done to devote your life to the very laudable objective of peace?

What have you done now to help promote peace in the world?

Via what organizations have you devoted your talents for peace?

Mrs. LEWIS. I shall decline to answer that, sir.

Mr. ARENS. We would like to lay before you a call to a Chicago Area Conference for World Peace Through Negotiations, October 1953, all under the leadership of a number of people, including one who is identified here as Helen Lewis.

Look at this document and tell us whether or not you were properly identified there as one of the moving forces for peace.

(Document marked "Exhibit No. 403a, b," see appendix, pp. 7814, 7815.)

(The witness examines document and confers with her counsel.)

Mrs. LEWIS. I shall decline to answer that question, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. LEWIS. I shall decline to answer, sir, on the grounds of the fifth amendment of the Constitution of the United States.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Are there any questions?

Mr. VELDE. No questions.

Mr. JACKSON. No questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Alma Foley, kindly come forward.

Mr. FRAZIER. I think we will take a recess for about 5 minutes.

Mr. ARENS. Mrs. Foley, the committee will take a recess. So it won't be necessary for you to come forward at the moment.

(Whereupon, a short recess was taken. Committee members present: Representatives Frazier, Velde, and Jackson.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Frazier, Velde, and Jackson.)

Mr. FRAZIER. The committee will come to order.

Call your next witness.

Mr. ARENS. Alma Foley, kindly come forward.

Remain standing while the chairman administers an oath to you, please.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear that the testimony to be given at this hearing will be the truth, the whole truth, so help you God?

Mrs. FOLEY. I do.

TESTIMONY OF MRS. ALMA FOLEY; ACCOMPANIED BY COUNSEL, PEARL M. HART

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. FOLEY. My name is Alma Foley. I live at 2290 County Road J, Minneapolis, Minn. I am a housewife.

Mr. ARENS. And do you have any other occupation?

Mrs. FOLEY. I am a housewife.

Mr. ARENS. Do you have any other occupation?

(The witness confers with her counsel.)

Mrs. FOLEY. What do you—

(The witness confers with her counsel.)

Mrs. FOLEY. What do you mean by occupation?

Mr. ARENS. Well, ma'am, you know what an occupation is.

Tell this committee do you have any occupation besides your occupation of housewife?

(The witness confers with her counsel.)

Mrs. FOLEY. My main occupation is as a housewife.

Mr. ARENS. What is your subsidiary occupation?

(The witness confers with her counsel.)

Mrs. FOLEY. My occupation is a housewife.

Mr. ARENS. Now, please tell the committee do you have any other occupation other than the occupation of housewife?

Mrs. FOLEY. Will you define the word "occupation," please?

Mr. ARENS. You know what the word "occupation" means. Don't parry with me.

Tell the committee whether or not you are the executive secretary of the Minnesota Committee for Protection of Foreign Born.

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Do you then have some other occupation that you just didn't want to tell us about?

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Why?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question on the basis of the first amendment and of the fifth amendment.

Mr. ARENS. Now, you are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. FOLEY. Yes.

Mr. ARENS. You are represented by counsel?

Mrs. FOLEY. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Miss HART. Pearl M. Hart, 30 North La Salle Street, Chicago, Ill.

Mr. ARENS. This subpoena which was served upon you—Is it Miss or Mrs. Foley?

Mrs. FOLEY. Mrs. Foley.

Mr. ARENS. Calls upon you to produce before this committee certain documents of the Minnesota Committee for Protection of Foreign Born. Do you have custody and control of those documents?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer.

Mr. ARENS. Why?

Mrs. FOLEY. I decline to answer on the basis of the first amendment and the fifth amendment.

Mr. ARENS. Then we will have to establish your record here.

Mrs. Foley, we invite your attention, if you please, to certain documents, certain exhibits. The exhibit that we lay before you now is a photostatic copy of the Lamp of the American Committee for Protection of Foreign Born. In that document, dated July 1952, appears the following:

On May 21, representatives of defense committees meeting in Minneapolis voted to establish a Provisional Minnesota Committee for Protection of Foreign Born with Mrs. Alma Foley as secretary.

Is that you?

(Document marked "Exhibit No. 404a, b," see appendix, pp. 7816, 7817.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Would you accommodate this committee that is seeking to expose subversion in this country, would you accommodate it by giving us your signature.

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Why?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline.

Mr. ARENS. I didn't hear you.

Miss HART. She answered. She declined.

Mr. ARENS. Why?

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Now we lay before you a copy of the lease between the Minnesota Committee for Protection of Foreign Born and a rental agency, and the lease identifies the officer signing for the Minnesota Committee for Protection of Foreign Born as Executive Secretary Alma Foley.

Please look at that document and see if you can verify its authenticity, and serve this committee of the Congress.

(Document marked "Exhibit No. 405a-c," see appendix, pp. 7818-7820.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. Will you repeat that question?

Mr. ARENS. Did you sign the document that is presently before you? This lease? Is that your signature there as executive secretary of the Minnesota Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness affixes her signature to a voucher for her per diem and transportation, that part of the voucher bearing her signature be incorporated in the appendix to this record so that there may be a comparison of signatures.

Mr. FRAZIER. It is so ordered.

Mr. ARENS. In view of the status of this record, I respectfully suggest that this witness, on this record here and now, be ordered to produce all of the documents called for in the subpoena duces tecum which was served upon her, which I now respectfully request be incorporated in the appendix to the record.

(Documents marked "Exhibit No. 406a, b," see appendix, pp. 7821, 7822.)

Mr. FRAZIER. It is so ordered.

And you are ordered to produce the records.

(The witness confers with her counsel.)

Mrs. FOLEY. There is no answer.

Miss HART. You don't have to answer.

Mr. JACKSON. Do you decline to submit the records?

Miss HART. That was——

All right.

She didn't understand that she was required to make an answer to that.

Will you repeat what was said, please?

Mr. ARENS. The record shows an order and direction by the chairman of this subcommittee to the witness to produce the records called for in the subpoena duces tecum.

Miss HART. She understands that now.

Mr. ARENS. Do you produce them? Will you produce them?

(The witness confers with her counsel.)

Mrs. FOLEY. The records asked for have no pertinence to the purpose of this inquiry, and I decline to answer also on the first amendment and on the fourth amendment and on the fifth amendment.

Mr. JACKSON. Have you made the determination that the papers required in the subpoena duces tecum have no relevancy to this hearing? Have you personally made that determination?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. JACKSON. Were you advised by any person that they had no relevancy to this hearing?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that.

Mr. JACKSON. Did you confer with any persons known to you to be members of the Communist Party, arriving at that decision that the papers required had no relevancy?

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. JACKSON. Before we get off of this particular matter, unless you intend to revert back to it, Mr. Counsel, I am going to ask that the committee proceed in whatever lawful manner may be required to bring this matter to the House of Representatives and ask appropriate legal action be taken.

This is the second flaunting of the subpoena powers of this committee, and it is quite obvious from the testimony already adduced that there is a conspiracy existing between organizations and the Communist Party to defeat the purposes of Federal legislation.

Mr. ARENS. We lay before you a photostatic copy of the Communist Daily Worker of June 17, 1951, in which a photograph appears of a number of people there honoring Ferdinand Smith and the midwest victims of the McCarran law deportation hysteria.

People identified in this photograph include one Alma Foley.

Please look at that photograph and tell this Committee on Un-American Activities if you will verify, please, the authenticity of that designation.

(Document marked "Exhibit No. 407," see appendix, p. 7823.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Now we invite your attention to the summary of the proceedings of the National Conference To Repeal the Walter-McCar-ran Law and Defend Its Victims, in Chicago, December 1953, and the chairman of the credentials committee is Alma Foley of Minneapolis.

Please look at these proceedings and see if you can't help this committee of the Congress by verifying the authenticity of that designation.

(The witness examines document and confers with her counsel.)

Miss HART. What day is this?

Mr. APPELL. The date of the conference.

(Counsel for the witness confers with Mr. Appell.)

(The witness confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

(See exhibit V, appendix, p. 8342.)

Mr. ARENS. Now we lay before you still another exhibit, an exhibit of the Joint Defense Committee, Alma Foley, secretary. It is a Joint Defense Committee, according to this publication or this leaflet, that is out to stop the deportations under the McCarran Act, 2290 County Road J, Minneapolis, Minn.

Please look at this document and tell us whether or not you are appropriately and accurately identified as secretary of the Joint Defense Committee.

(Document marked "Exhibit No. 408," see appendix, pp. 7824, 7825.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Now I have a stool-pigeon publication. It is the Communist Daily Worker which identifies you as a Communist. And I want you to look at this now, and either condemn the Communist Daily Worker for being a stool pigeon and falsely representing it, or else invoking the fifth amendment.

Under date of April 7, 1934, the Communist Daily Worker talks about a number of people who are candidates. In Duluth, Minn., Alma Foley, a Communist candidate for the school board, polled 619 votes.

Please look at that publication and see whether or not—tell us whether or not the Daily Worker was truthfully reporting the facts when it identified you as the Communist candidate for the school board in Minnesota.

(Document marked "Exhibit No. 409," see appendix, p. 7826.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Was that Communist publication smearing you? Was that saying something that wasn't true about you?

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. Now we have a photostatic copy of the Daily Worker of January 1936, in which Alma Foley is identified as secretary of the International Labor Defense.

Please look at this publication and tell this committee while you are under oath whether or not you are accurately and truthfully identified as secretary of the Communist International Labor Defense.

(Document marked "Exhibit No. 410," see appendix, p. 7826.)

(The witness examines document and confers with her counsel.)

Mrs. FOLEY. I decline to answer that.

Mr. ARENS. Now I lay before you a telegram sent to Representative Louis Graham, House Judiciary Committee:

We the undersigned strongly protest the railroading of unconstitutional legislation outlawing the Communist Party—

and other representations, signed by a number of people, including an Alma Foley from Minneapolis, Minn.

(Document marked "Exhibit No. 411," see appendix, p. 7827.)

Please tell the committee whether or not you are she.

(The witness confers with her counsel and examines document.)

Mrs. FOLEY. I decline to answer that question.

Mr. ARENS. You can help sustain the Constitution of the United States, ma'am, if you will tell us whether or not Andrew Roine, R-o-i-n-e, is a cochairman of the Minnesota Committee for Protection of Foreign Born.

Mrs. FOLEY. I decline to answer that.

Mr. ARENS. You can help us if you will tell us whether or not Lucille Bartlett is another cochairman of the Minnesota Committee for Protection of Foreign Born.

Mrs. FOLEY. I decline to answer that.

Mr. ARENS. You could help us if you will tell us whether or not Alma Erikson is treasurer of the Minnesota Committee for Protection of Foreign Born.

Mrs. FOLEY. I decline to answer that.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you are now a member of the Communist conspiratorial apparatus. If it isn't true, deny it while under oath.

Mrs. FOLEY. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions?

Mr. JACKSON. Mr. Chairman, the committee is in receipt of a telegram addressed to the chairman of the subcommittee, which reads as follows:

We protest your attack on Committee for Protection of Foreign Born. We feel your investigation is interference in the American democratic right of people to seek redress against a law they feel is unfair. Many people seek revision of unjust provisions of McCarran-Walter law.

It is signed "Women's Peace and Unity Club."

Investigation today has disclosed that the telegram in question was purchased by a person giving the address 166 West Washington Street, room 312.

It is significant that this is the office of the American Peace Crusade, which has been cited by the Attorney General of the United States and which has had a hearing before the Subversive Activities Control Board.

I think this points up quite clearly the close linking and tieup between organizations which are working for the best interests of the Soviet Union and not the United States of America.

Thank you, Mr. Chairman.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Lucille Bartlett, kindly come forward.

Please remain standing while the chairman administers the oath to you.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BARTLETT. I do.

TESTIMONY OF MRS. LUCILLE BARTLETT, ACCOMPANIED BY COUNSEL, CYRIL ROBINSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation?

Mrs. BARTLETT. I am Lucille Bartlett, of St. Paul, Minn., housewife.

Mr. ARENS. Do you have any other occupation?

Mrs. BARTLETT. No, sir.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. BARTLETT. Yes, I have a subpoena.

Mr. ARENS. You are represented by counsel?

Mrs. BARTLETT. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. ROBINSON. Cyril D. Robinson, 79 West Monroe, Chicago, Ill.

Mr. ARENS. Is it Miss or Mrs. Bartlett?

Mrs. BARTLETT. Mrs.

Mr. ARENS. Mrs. Bartlett, who was the lady who just left the witness stand? Could you tell us?

(The witness confers with her counsel.)

Mrs. BARTLETT. I claim the fifth amendment.

Mr. ARENS. What do you mean you claim the fifth amendment?

Mrs. BARTLETT. That is my privilege.

Mr. ARENS. What do you mean by that?

Mrs. BARTLETT. I don't have to testify against myself.

Mr. ARENS. Do you feel that if you told this committee truthfully whether or not you know the woman who just left the witness stand—Alma Foley—you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. BARTLETT. I have already answered the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that last principal question.

Mr. FRAZIER. You are directed to answer the question.

Mrs. BARTLETT. I have already answered it, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest she again be ordered and directed to answer that question. The question is designed to test her good faith in the use and invocation of the fifth amendment.

(The witness confers with her counsel.)

Mrs. BARTLETT. I say again I rely on the fifth amendment which does not say that I have to testify against myself.

(The witness confers with her counsel.)

Mrs. BARTLETT. I say that in all good faith.

Mr. ARENS. You said your occupation—

Mr. FRAZIER. You decline to answer?

Mrs. BARTLETT. I decline to answer.

Mr. ARENS. You say your occupation is housewife?

Mrs. BARTLETT. Yes.

Mr. ARENS. Do you have any other occupation?

Mrs. BARTLETT. I refuse to answer.

Mr. ARENS. Why?

Mrs. BARTLETT. My fifth amendment.

Mr. ARENS. You are cochairman of the Minnesota Committee for Protection of Foreign Born, are you not?

(The witness confers with her counsel.)

Mrs. BARTLETT. I rely on the fifth amendment, the same as before.

Mr. ARENS. Are you now a Communist?

(The witness confers with her counsel.)

Mrs. BARTLETT. I rely on the fifth amendment.

Mr. VELDE. Are you a naturalized citizen?

(The witness confers with her counsel.)

Mrs. BARTLETT. I rely on the fifth amendment.

Mr. VELDE. Were you born in the United States of America?

Mrs. BARTLETT. I already answered that question. I rely on the fifth amendment.

Mr. VELDE. I ask for a direction to answer that question.

Mr. FRAZIER. You are directed to answer that question.

(The witness confers with her counsel.)

Mr. VELDE. If you are a citizen of the United States, are you ashamed of your citizenship?

Mrs. BARTLETT. I rely on the fifth amendment, sir.

Mr. FRAZIER. When you say you rely on the fifth amendment, what do you mean by that?

Mrs. BARTLETT. I don't have to testify against myself, and that is stated in the fifth amendment.

Mr. ARENS. Have you read that constitutional provision?

Mrs. BARTLETT. Pardon?

Mr. ARENS. Have you read that constitutional provision that you are invoking?

Mrs. BARTLETT. Yes.

Mr. ARENS. The constitutional provision says you cannot be compelled to give evidence or testimony against yourself in a criminal proceeding, does it not?

(The witness confers with her counsel.)

Mrs. BARTLETT. That is what I would say.

Mr. ARENS. Do you honestly feel that if you told this committee whether or not you are chairman of the Minnesota Committee for Protection of Foreign Born you would be giving information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. BARTLETT. I am apprehensive in this present setting, and I rely upon the fifth amendment.

Mr. ARENS. Who told you that? Your lawyer just now gave you those words?

Mrs. BARTLETT. I refuse to answer.

Mr. ARENS. You were the candidate for the city council there in St. Paul on the Communist Party ticket twice; were you not?

(The witness confers with her counsel.)

Mrs. BARTLETT. I claim my privilege under the fifth amendment.

Mr. ARENS. Mr. Chairman, I suggest that concludes the staff interrogation of this witness.

Mr. FRAZIER. Any questions, Mr. Velde?

Mr. VELDE. As a candidate for city council, would you have to be a citizen of the United States to run for that office?

(The witness confers with her counsel.)

Mrs. BARTLETT. I claim my privilege under the fifth amendment. It is not pertinent to this inquiry, sir.

Mr. JACKSON. Are you now a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. BARTLETT. I claim my privilege of the fifth amendment, the same as before.

Mr. JACKSON. That is all.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. Alma Erikson, please come forward.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ERIKSON. I do.

TESTIMONY OF ALMA ERIKSON; ACCOMPANIED BY COUNSEL,
CYRIL ROBINSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. ERIKSON. I am Alma Erikson, 612 East Franklin, Minneapolis, Minn., a sausage maker.

Mr. ARENS. I beg your pardon?

Mrs. ERIKSON. Sausage maker.

Mr. ROBINSON. She makes sausage.

Mr. ARENS. Do you do anything else?

Mr. ROBINSON. Could you specify that?

Mr. ARENS. She knows what we are talking about, Counsel, and you know what we are talking about. And your sole and exclusive prerogatives are to advise your client with reference to her constitutional rights.

Tell us what else you do besides make sausage.

(The witness confers with her counsel.)

Mrs. ERIKSON. I would like that you specify what you mean.

Mr. ARENS. Your lawyer just told you that.

Are you treasurer of the Minnesota Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. ERIKSON. I claim my privilege under fifth amendment to not testify against myself.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

(The witness confers with her counsel.)

Mr. ARENS. Tell her, Counsel, she can say "Yes" to that.

Why don't you so we can get going?

It gets a little exasperating.

Mr. ROBINSON. Do you have objection to the witness having the benefit of counsel?

Mr. ARENS. We have objection to you telling her what to say.

Are you appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

(The witness confers with her counsel.)

Mrs. ERIKSON. Yes.

Mr. ARENS. And you are represented by counsel?

(The witness confers with her counsel.)

Mrs. ERIKSON. Yes.

Mr. ARENS. Kindly identify yourself, Counsel.

Mr. ROBINSON. Cyril D. Robinson, 79 West Monroe, Chicago, Ill.

Mr. ARENS. How did you contact your counsel?

Who told you to get in touch with this man to represent you here?

(The witness confers with her counsel.)

Mrs. ERIKSON. I rely on the fifth amendment to not answer that question.

Mr. ARENS. Do you feel that if you told this committee how you happened to get in touch with this man, who represents you and represents Lucille Bartlett, you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. ERIKSON. Again I will invoke the fifth amendment.

Mr. ARENS. Who was the lady who just preceded you to the witness stand? Do you know her? Lucille Bartlett?

Mrs. ERIKSON. I claim the privilege of the fifth amendment.

Mr. ARENS. Now I want to lay before you a telegram, a photostatic copy of a telegram, addressed to the House Judiciary Committee, a number of people protesting anti-Communist legislation, including an Alma Erikson.

Look at this telegram and tell us whether or not you are she?

(See exhibit No. 411, appendix, p. 7827.)

(The witness examines document.)

Mrs. ERIKSON. I claim the privilege under the fifth amendment to not testify against myself.

Mr. ARENS. How do you spell your name? Could you tell us the spelling of the last name?

(The witness confers with her counsel.)

Mrs. ERIKSON. E-r-i-k-s-o-n.

Mr. ARENS. Now I lay before you a document which is a photostatic copy of a post card directed to the Director of Immigration in Chicago, signed "Alma Erikson," protesting the unconstitutional detention of Steve Tsermegas, T-s-e-r-m-e-g-a-s.

Look at that card and tell this committee whether or not you signed it.

(Document marked "Exhibit No. 412," see appendix, p. 7828.)

(The witness examines document and confers with her counsel.)

Mrs. ERIKSON. Again I will invoke the fifth amendment.

Mr. ARENS. Where were you born?

(The witness confers with her counsel.)

Mrs. ERIKSON. As I said before, I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered to answer the question.

(The witness confers with her counsel.)

Mrs. ERIKSON. I already said I invoke the fifth amendment.

Mr. ARENS. Were you born in the United States or born outside of the United States?

(The witness confers with her counsel.)

Mrs. ERIKSON. That is answered.

Mr. ARENS. Then answer it again.

Mrs. ERIKSON. I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are ordered to answer the question.

(The witness confers with her counsel.)

Mrs. ERIKSON. I claim the right of the fifth amendment to not testify against myself.

Mr. ARENS. Now we have a photostatic reproduction of the Communist Daily Worker of July 1, 1953, specifying that a number of people signed a protest to the Attorney General with reference to the deportation proceedings against a certain Communist. Among those who signed this protest is Alma Erickson.

Please look at that and see if you are accurately described in that enterprise.

(Document marked "Exhibit No. 413," see appendix, p. 7829.)

(The witness examines document and confers with her counsel.)

Mrs. ERIKSON. I invoke the fifth amendment privilege.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(The witness confers with her counsel.)

Mrs. ERIKSON. I again invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of the witness.

Mr. ROBINSON. Counsel, does the record show—

Excuse me.

I wasn't sure the record shows, on that last question, she invoked the fifth amendment. Is that clear?

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of the witness.

Mr. VELDE. In response to a question by counsel, you refused under the protection of the fifth amendment to state whether you were a United States citizen. Let me ask you this:

If you are a United States citizen, are you loyal to the United States, or do you consider yourself to be loyal to the United States, or do you consider yourself to be loyal to some foreign nation?

(The witness confers with her counsel.)

Mrs. ERIKSON. In the present setting I want to invoke the fifth amendment for my own protection.

Mr. VELDE. That is all.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. No questions.

Mr. FRAZIER. The witness is dismissed.

Call your next witness.

Mr. ARENS. Clarence Hathaway, kindly come forward.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HATHAWAY. I do.

TESTIMONY OF CLARENCE A. HATHAWAY, ACCOMPANIED BY COUNSEL, PEARL M. HART

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HATHAWAY. Clarence A. Hathaway, 1455 Fulhan Street, St. Paul, Minn. Tool and die maker.

Mr. ARENS. Where were you born?

Mr. HATHAWAY. Oakdale Township, Washington County, Minn.

Mr. ARENS. And tell us where you went to school.

(The witness confers with his counsel.)

Mr. HATHAWAY. I take the position that this is not material to the investigation, and I invoke the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. HATHAWAY. With regard to the direction, I plead the fifth.

Mr. FRAZIER. I can't hear you. You will have to speak out.

Mr. HATHAWAY. I said I plead the fifth, not being required to give testimony against myself.

Mr. ARENS. Have you ever been abroad?

(The witness confers with his counsel.)

Mr. HATHAWAY. I plead the fifth.

Mr. ARENS. You were trained in the Lenin School in Moscow, were you not?

Mr. HATHAWAY. The fifth.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you were trained in the Lenin School in Moscow, Russia.

(The witness confers with his counsel.)

Mr. HATHAWAY. I refuse to answer on the basis of the protection guaranteed to me by the fifth amendment; namely, not to give testimony against myself.

Mr. ARENS. How old are you?

Mr. HATHAWAY. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

Mr. HATHAWAY. I again invoke the fifth.

Mr. ARENS. During the period of your adult life is there any occupation in which you have been gainfully employed concerning which you can testify without giving evidence which could be used against you in a criminal proceeding?

Mr. HATHAWAY. I refuse to answer on the basis of the fifth.

Mr. ARENS. You were editor of the Communist Daily Worker for a while, were you not?

(The witness confers with his counsel.)

Mr. HATHAWAY. I refuse to answer on the basis of the fifth.

Mr. ARENS. Do you know John Lautner?

Mr. HATHAWAY. I refuse to answer on the basis of the fifth.

Mr. ARENS. Are you at this moment a member of the Communist Party?

Mr. HATHAWAY. I refuse to answer on the basis of the protection guaranteed me under the fifth.

Mr. ARENS. Maybe I can help you.

Back in 1941, it is our information, you were dismissed from the editorship of the Daily Worker, and actually were technically expelled from the Communist Party.

Is that true?

(The witness confers with his counsel.)

Mr. HATHAWAY. I refuse to answer—

Mr. ARENS. Do you regard it as humorous that you were expelled from the Communist Party?

Mr. HATHAWAY. I refuse to answer that also.

Mr. ARENS. Do you know Earl Browder?

Mr. HATHAWAY. I refuse to answer.

Mr. ARENS. What is your brother's name?

Mr. HATHAWAY. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. FRAZIER. You are directed to answer the question.

(The witness confers with his counsel.)

Mr. HATHAWAY. I beg your pardon?

Mr. FRAZIER. You are directed to answer the question.

Mr. HATHAWAY. I refuse to answer on the grounds that it is not pertinent, that it is irrelevant, and also on the basis of the protection guaranteed to me by the fifth.

Mr. ARENS. Your brother is Milton Hathaway, is he not?

Mr. HATHAWAY. I refuse to answer.

Mr. ARENS. I want to display to you a copy of the Communist Daily Worker of May 25, 1947:

FIVE HUNDRED AND FIFTY UNION OFFICIALS ASSAIL "RED HUNT"

Five hundred and fifty CIO and AFL union officials warned last week that the House un-Americans are spearheading the drive of big business against labor "in the name of hunting Communists."

There is set forth the text of this statement attacking the Committee on Un-American Activities, including a number of people who are assailing the Committee on Un-American Activities, and including Clarence A. Hathaway, business agent, St. Paul.

Look at that exhibit and tell this committee whether or not you are the Clarence Hathaway alluded to in the article.

(Document marked "Exhibit No. 414," retained in committee files.)

(Representative Harold H. Velde left the hearing room at this point.)

(The witness examines document and confers with his counsel.)

Mr. HATHAWAY. I decline to answer.

Mr. ARENS. Now, I display to you an article from the Daily Worker, January 22, 1941, to the effect that Hathaway says his expulsion by Communists was justifiable—all because of certain political disagreements. In other words, Hathaway says that when the Communist Party kicked me out, when they kicked out Earl Browder and had to have some scapegoats to change the party line, the party was justified.

Look at this article now and tell this Committee on Un-American Activities whether or not that correctly quotes you when you said that the Communist Party technically expelled you from membership and it was justified.

(Document marked "Exhibit No. 415," see appendix, p. 7830.)

(The witness examines document and confers with his counsel.)

Mr. HATHAWAY. This, in my opinion, is impertinent, irrelevant, and I decline to answer on the basis of the fifth.

Mr. ARENS. Your brother Milton Hathaway procured a United States passport sometime ago and then sent the passport to you for use; did he not?

Mr. HATHAWAY. I decline to answer.

Mr. ARENS. Now I display to you a photostatic copy of an article which appeared in the Daily Worker of February 16, 1951.

"Minn. Meeting Pledges 100,000 Peace Ballots"—"Minnesotans For Peace."

And Clarence A. Hathaway is making the keynote address.

Look at this article and tell us whether or not it accurately and truthfully portrays your part in that Minnesota rally for peace.

(Document marked "Exhibit No. 416," see appendix, p. 7831.)

(The witness examines document and confers with his counsel.)

Mr. HATHAWAY. This document is not relevant.

Mr. ARENS. And tell us whether it is true or not.

Mr. HATHAWAY. And I invoke the fifth.

Mr. ARENS. Now we have a bulletin of the American Committee for Protection of Foreign Born, an original document of February 1, 1954. Clarence Hathaway is making a speech concerning his wife's deportation case, and urging the Congressmen to seek public hearings on legislation pertaining to immigration matters.

Look at that document and tell us whether or not you are accurately quoted here.

(Document marked "Exhibit No. 417," see appendix, p. 7832.)

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. HATHAWAY. Not relevant. Moreover, I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Is your wife presently the subject of deportation proceedings?

Mr. HATHAWAY. Not relevant, and I refuse to answer.

Mr. ARENS. Look at this document, an original article from the New York Times of January 13, 1941:

COMMUNISTS EXPEL HATHAWAY, EDITOR

One of the party's three leaders headed the Daily Worker staff for 10 years.

(Document marked "Exhibit No. 418," see appendix, pp. 7833, 7834.)

That was back in 1941. Was your connection with the Communist Party actually, legitimately, bona fide, forever severed back in 1941?

If it was, you ought to be proud of it and stand up and tell this committee while you are under oath, "Sure, I had my connections severed with the Communist Party in 1941 and now I am a great patriot."

Do you want to tell us about that?

(The witness confers with his counsel.)

Mr. HATHAWAY. I think it is not relevant, and I refuse to answer.

Mr. ARENS. I want to read you a little testimony now from a stool pigeon, according to the lingo we have been hearing here the last several days. It is testimony in public hearings of Earl Browder. You know who he was, of course.

Browder is asked here:

Did Mr. Clarence Hathaway, the editor of the Daily Worker, attend the Lenin School?

Mr. Browder said:

Hathaway did, I believe.

Was Browder lying or was Browder telling the truth when he testified that you attended the Lenin School in Moscow?

(The witness confers with his counsel.)

Mr. HATHAWAY. The question is irrelevant, and I refuse to answer on the basis of the fifth.

Mr. ARENS. Did you join the Communist Party initially for the purpose of spying on the party?

Mr. HATHAWAY. I refuse to answer.

Mr. ARENS. Are you at this moment, notwithstanding the record and your expulsion from the Communist Party, now a Communist?

Mr. HATHAWAY. I refuse to answer.

Mr. ARENS. Why?

Mr. HATHAWAY. Because I invoke my rights under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Mr. Velde, any questions?

Mr. VELDE. No questions except I think, as Mr. Jackson said, that the record should note that the witness has answered several times, or refused to answer, on the grounds that the question was irrelevant to the work of this committee.

Certainly any question concerning the Communist conspiracy is relevant to the work of this committee.

This committee is organized to investigate un-American activities and report to the Congress for remedial legislation. Certainly any question dealing with the Communist apparatus is a relevant question and should be answered by the witness if he has any degree whatsoever of patriotism to his country.

Mr. HATHAWAY. After listening to the proceedings here today—

Mr. VELDE. There is no question pending.

Mr. HATHAWAY. I have come to the conclusion that there is a lot of irrelevancy that has been admitted.

Mr. VELDE. There is no question.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. The next witness, if you please, will be John Starks.

Mr. Starks, will you kindly come forward.

Mr. FRAZIER. Hold up your right hand.

Do you solemnly swear the testimony to be given at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STARKS. I do.

TESTIMONY OF JOHN R. STARKS, ACCOMPANIED BY COUNSEL, PEARL M. HART

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. STARKS. My name is John R. Starks. My residence is St. Louis, Mo. I reside at 5603 Maple. And by occupation, I am a railroad worker.

Mr. ARENS. You are appearing today, Mr. Starks, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. STARKS. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. STARKS. That is correct.

Mr. ARENS. Counsel, will you kindly identify yourself.

Miss HART. Pearl M. Hart, 30 North La Salle Street, Chicago, Ill.

Mr. ARENS. This subpoena, which was served upon you, commands you to produce before this committee, Mr. Starks, a number of docu-

ments relating to the Committee for Repeal of the Walter-McCarran Law and the Defense of Sam and Fanny Manewitz.

Do you have those documents today?

Mr. STARKS. I have not, sir.

Mr. ARENS. Do you have custody and control over those documents?

Mr. STARKS. I have not.

Mr. ARENS. Where are the documents called for in the subpoena duces tecum?

(The witness confers with his counsel.)

Mr. STARKS. I do not know where they are, sir.

Mr. ARENS. Do you have access to those documents?

Mr. STARKS. I believe you asked that question before, sir.

Mr. ARENS. Answer it again.

Mr. STARKS. Well, my answer is the same. I do not have access to the documents you mentioned.

Mr. ARENS. Do you know where they are?

Mr. STARKS. I do not know where they are.

Mr. ARENS. Are there such documents to your knowledge?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer that, sir, on the basis of the fifth amendment.

Mr. ARENS. Are you secretary of the Committee for Repeal of the Walter-McCarran Law and the Defense of Sam and Fanny Manewitz?

(The witness confers with his counsel.)

Mr. STARKS. I am not, sir.

Mr. ARENS. Have you ever been?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer that, sir, on the basis of the fifth amendment.

Mr. ARENS. Now we lay before you a photostatic copy of an application for a post-office box. It is signed by John R. Starks, secretary of the Sam and Fanny Manewitz Defense Committee.

Look at that signature and see if you can help this committee by telling us whether or not that is a true and correct reproduction of your signature.

(Document marked "Exhibit No. 419," see appendix, p. 7835.)

(The witness examines document and confers with his counsel.)

Mr. STARKS. Will you repeat your question, sir.

Mr. ARENS. Is that your signature to the document just displayed to you?

Mr. STARKS. I refuse to answer that question on the basis of the first amendment, giving me the right of freedom of speech and association.

I also refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Now we lay before you a document issued by the Committee for Repeal of the Walter-McCarran Law and Defense of Sam and Fanny Manewitz, Post Office Box 506, Wellston Station, St. Louis, Mo., which is the same post-office box that appears on this application which we have just displayed to you, and I ask you if the publication which I have just displayed to you accurately describes the publication or organization of which you are the secretary or were the secretary.

(Document marked "Exhibit No. 420a-c," see appendix, pp. 7836-7838.)

(The witness examines document and confers with his counsel.)

Mr. STARKS. Sir, will you explain that question. You have not yet established that I am secretary. And it is not quite clear to me, your question.

Mr. ARENS. Are you secretary of the organization which published that document that your counsel now has her left hand on?

Mr. STARKS. No.

Mr. ARENS. Have you ever been secretary of it?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer that on the basis of the fifth amendment, sir.

Mr. ARENS. Have you ever resigned from being secretary?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer that on the grounds previously mentioned.

Mr. ARENS. Were you secretary when this publication was issued?

(The witness confers with his counsel.)

Mr. STARKS. The same grounds as previously mentioned, sir.

Mr. ARENS. Now we invite your attention to copies of a form of the Post Office Department, verification of residence of applicant for box.

You will note that one of the photostats there is signed by Sol Derman. You will note that he responded to the Post Office Department with respect to you: "Yes, applicant is respectable and trustworthy."

(Document marked "Exhibit No. 421a, b," see appendix, pp. 7839, 7840.)

Did you know Sol Derman?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer, sir, on the basis of the first amendment giving me freedom of speech and association and identifying anyone. And I also refuse to answer on the basis of the fifth amendment.

Mr. ARENS. In view of the status of the record, I respectfully suggest that a copy of the subpoena duces tecum be incorporated in the record and the witness now be ordered to produce the records and documents called for in the subpoena duces tecum.

Mr. FRAZIER. It is so ordered, and the witness is directed to produce the documents called for in the subpoena duces tecum.

(Document marked "Exhibit No. 422a, b," see appendix, pp. 7841, 7842.)

(The witness confers with his counsel.)

Mr. STARKS. I am not secretary, sir, of the committee mentioned on that subpoena. Therefore, I can produce no records of any kind as noted on that subpoena.

Mr. ARENS. Do you have the records of the organization—

Mr. STARKS. Sir, I am not finished yet.

Mr. ARENS. You go right ahead. We want you to talk. We want you to talk freely.

(The witness confers with his counsel.)

Miss HART. May I have that exhibit again, please?

Mr. APPELL. This one?

Miss HART. No. The one for the post office.

(Document handed to counsel for the witness.)

Mr. STARKS. I would like to call attention, sir, to this document or exhibit here. The date is the year 1954, October 5, 1954.

Mr. JACKSON. What does that indicate? What is the significance of your pointing that out?

(The witness confers with his counsel.)

Mr. STARKS. I refuse to answer that, sir, on the basis of the fifth amendment.

Mr. JACKSON. It must not be very important then.

May I ask one question, Mr. Chairman?

Mr. FRAZIER. Yes. Proceed, Mr. Jackson.

Mr. JACKSON. After you received your subpoena to appear here, did you turn over to any other person any material called for in the subpoena?

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer, sir.

Mr. VELDE. Are you through?

Mr. JACKSON. Yes.

Mr. VELDE. May I inquire, Mr. Chairman?

Mr. FRAZIER. Proceed.

Mr. VELDE. You said you were no longer secretary of this organization. Is that true?

Mr. STARKS. That is true; yes.

Mr. VELDE. When were you last secretary of the organization?

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer.

Mr. VELDE. Were you secretary yesterday of the organization?

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer.

Mr. VELDE. Somewhere between yesterday and today you decided not to become secretary of the organization so you would not have to answer the subpoena duces tecum. Is that not correct?

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer.

Mr. VELDE. That is all.

Mr. ARENS. Now we display to you, if you please, sir, a document which is an original document: "Repeal the Walter-McCarran Law," issued by the Committee To Repeal the Walter-McCarran Law and Stop Deportation of Sam and Fanny Manewitz, post-office box 506, Wellston Station, St. Louis, Mo., May 1956.

(Document marked "Exhibit No. 423a, b," see appendix, pp. 7843, 7844.)

Did you prepare this document?

Mr. STARKS. I decline to answer.

Miss HART. May I see it, please?

Mr. ARENS. Now we show you a photostatic copy of a document: Urgent Call To Attend the Midwest Conference To Uphold the Constitution of the United States and the Bill of Rights and Repeal the McCarran Act. Those three things go together: uphold the Bill of Rights, repeal the McCarran Act, and the Constitution, all to be held November 25 and 26 (1950). And among those who are the sponsors of this urgent call is John R. Starks, executive secretary of the Civil Rights Congress of St. Louis.

Look at that document and see if you can't help this Committee on Un-American Activities trying to preserve the Constitution against the Communist termites by telling us whether or not that is you.

(See exhibit No. 225, appendix, p. 7484.)

(The witness confers with his counsel and examines document.)

Mr. STARKS. I decline to answer.

Mr. ARENS. You have been an author in the course of the last few years, have you not, writing for the Contemporary Reader?

Mr. STARKS. I decline to answer.

Mr. ARENS. Well, now, we have a copy of the Daily Worker of May 3, 1953, and, if you will pardon the Communist jargon, perhaps it is being a stool pigeon again here, because the Communist Daily Worker of this date tells about a new publication—the Contemporary Reader, a new quarterly magazine. And among the contributors to this new publication is John R. Starks.

Look at this document and see if you are accurately identified there.

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer.

Mr. ARENS. Why?

Mr. STARKS. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. STARKS. I decline to answer that question on the basis of the first amendment which guarantees me the right for freedom of press, speech, and association.

I also refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Now I want to invite your attention to still another article. I want to ask you a few questions about what the Communist Daily Worker says about you. Maybe the Daily Worker isn't right, and I want to check with you on it.

The Communist Daily Worker of May 3, 1953, in the article about the Contemporary Reader, says:

Its first issue has the promise of its credo. * * * It is heartening to see such writers as John R. Starks, as an example, 33, a railroader and a member of the Brotherhood of Railway Carmen, a native of Illinois who spent 5 years in the Army and has the Purple Heart for wounds received as an infantry soldier in France. This is his first published short story.

He appears in these pages with such writers as Abraham Polonsky, Lester Cole, Alan Max, Martha Millet, and Millard Lampell.

Tell us a little about yourself. Were you, in 1953, 33 years of age?

(Document marked "Exhibit No. 424," see appendix, pp. 7845, 7846.)

(The witness confers with his counsel.)

Mr. STARKS. I decline to answer.

Mr. ARENS. In 1953 were you a railroader?

Mr. STARKS. I decline to answer.

Mr. ARENS. The fact is you are right now in a Communist cell of the Railroad Carmen; are you not?

Mr. STARKS. I decline to answer.

Mr. ARENS. Why?

Mr. STARKS. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. STARKS. I decline to answer that question on the basis of the first and fifth amendments to the Constitution.

Mr. ARENS. Do you know a man by the name of William Cortor, C-o-r-t-o-r?

Mr. STARKS. I refuse to answer that question.

Mr. ARENS. Why?

Mr. STARKS. I refuse to answer.

Mr. ARENS. Could that be because Cortor testified under oath before this committee respecting certain people he knew to be Communists? That you just don't want to talk about Cortor?

Mr. STARKS. I refuse to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. FRAZIER. Any questions, Mr. Velde?

Mr. VELDE. No questions.

Mr. FRAZIER. Mr. Jackson?

Mr. JACKSON. No questions.

Mr. FRAZIER. The witness is dismissed.

Mr. ARENS. We have no more witnesses under subpoena for the sessions here in Chicago.

There were two other witnesses who were under subpoena but they have been canceled because of illness.

Mr. FRAZIER. Before we conclude these hearings in Chicago, I would like to comment briefly on several of the things which have emerged from the testimony today and yesterday which we consider of particular importance.

The evidence that the committee has received during these hearings provides further confirmation of the fact that the Communist Party of the United States, through a variety of various agencies, is engaged in a broad program of infiltration and propaganda aimed at divesting this Nation of the security laws designed to safeguard it against alien attack from inside and outside its borders.

We have noted the evasiveness of many witnesses who have appeared and their refusal to speak freely when under oath about the nature of activities they are engaged in. And, on the other hand, we have placed into the record of the committee a vast array of exhibits which speak eloquently about those activities which they seek to veil in silence when called before us.

Certainly no one can contest the right of legitimate organizations and sincere individuals to participate in free discussion of the laws which govern them.

But free discussion and genuine protests are entirely different from the operation of the conspiracy which seeks to convert honest concern for democratic procedures to an instrument of subversion. And it is subversion that we have to deal with here.

The witnesses before us from such groups as the Michigan Committee for Protection of Foreign Born, the Midwest Committee for Protection of Foreign Born, and the Minnesota and St. Louis Committees for Protection of Foreign Born have no true interest in the welfare of minority and nationality groups. Their sole interest is to exploit these groups for the benefit of world communism; to divide and confuse the people of this area and the people of the country as a whole so that their stealthy advance may proceed without opposition.

I think it is clear to all who have attended these hearings and followed the proceedings that organizations like the American Committee for Protection of Foreign Born and its accessories in this area have forfeited any claim to a legitimate status.

The result of these hearings provides conclusive proof that these organizations and the individuals who continue to participate in them in full knowledge of their purpose must stand identified as the enemies, and not the friends, of the very people whom they profess to be helping. Their sole objective is to enable the Communist conspiracy in the United States to function without disturbance and to make the United States a haven for conspirators engaged in plotting its ultimate destruction.

I would like now to express the appreciation of the subcommittee for the untiring cooperation of various people who have helped make arrangements for these proceedings:

The Honorable William J. Campbell, United States district judge; United States Marshal William W. Kipp; Building Superintendent Frank C. Allen; and the Chicago Police Department, particularly those detectives charged with protecting this city from subversive elements.

Do you have a statement you would like to make, Mr. Velde?

MR. VELDE. Just a few remarks, Mr. Chairman, if I may.

First of all, let me have the privilege of joining with you in that very fine statement, and to commend you on the fair and impartial manner in which you have chaired this meeting.

I wish, also, to express my joy at being with my colleagues, Don Jackson of California and Gordon Scherer, of Ohio, for these very important and enlightening hearings.

As you know, I have chosen not to run for reelection this time, and I will not be with you again.

I want to say I hope you continue carrying the torch in a never-ending battle against communism and subversion against this Government.

I would like to say, too, that I believe our very able and efficient staff, Mr. Arens, Mr. Appell, and Mr. Weil, deserve a word of commendation for the very intelligent, logical manner in which they have handled the investigation and the witnesses on the witness stand during this hearing.

Thank you.

MR. FRAZIER. Mr. Velde, we appreciate your remarks. And I wish to take this occasion, since I am not going to California with you, to say that we members who have had the honor of serving with you on this committee appreciate the great work you have done in furthering the various investigations that this committee has undertaken. We will miss you in the next Congress.

Mr. Jackson?

MR. JACKSON. Thank you, Mr. Chairman.

I join with both of you in the general statements that have been made.

I also should like to pay a special word of tribute to Mr. Velde who is not returning to Congress. And I wish him well for the valuable public service he has rendered the country while chairman of this committee. We shall miss him on the committee.

Also an additional word to the staff.

Actually the reason some of these people take the fifth amendment when they get in the chair is because they know that, through careful staff work, the facts are there. The facts cannot be refuted.

Congratulations, Mr. Arens and Mr. Appell and others on the staff. And also the hard-working reporter whose fingers must be cramped by this time.

Mr. FRAZIER. That concludes the hearings.

The committee is recessed.

(Whereupon, at 4:35 p. m., December 4, the committee was recessed, to be reconvened at 10 a. m., in room 514, Federal Building, Los Angeles, Calif., on Wednesday, December 5, 1956.)

(Committee members present: Representatives Frazier, Velde, and Jackson.)

* * * * *

AMERICAN COMMITTEE FOR PROTECTION OF FOREIGN BORN

1. Cited as subversive and Communist.

(*Attorney General Tom Clark, letters to Loyalty Review Board, released June 1, 1948, and September 21, 1948.*)

2. "One of the oldest auxiliaries of the Communist Party in the United States."

(*Special Committee on Un-American Activities, Report, March 29, 1944, p. 155; also cited in Report, June 25, 1942, p. 13.*)

3. "Among the Communist-front organizations for racial agitation" which also serve as "money-collecting media" and "as special political organizing centers for the racial minority they pretend to champion." "Works closely with the International Labor Defense, legal arm of the Communist Party, in defense of foreign-born Communists and sympathizers."

(*California Committee on Un-American Activities, Reports, 1947, p. 45; 1948, p. 113.*)

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COMMUNIST POLITICAL SUBVERSION

WEDNESDAY, DECEMBER 5, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met at 10:20 a. m., pursuant to call, in room 514, Post Office Building, Los Angeles, Calif., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, of California; Gordon H. Scherer, of Ohio.

Staff member present: William A. Wheeler, investigator.

Mr. DOYLE. The subcommittee will come to order.

By virtue of the designation by Chairman Francis E. Walter, of the Committee on Un-American Activities, the subcommittee consisting of Mr. Velde, of Illinois, Mr. Scherer, of Ohio, and Mr. Doyle, of California, as subcommittee chairman, is called to order. A quorum is present. Subcommittee Chairman Doyle and Representative Scherer. The subcommittee hearings for this morning are of necessity continued until tomorrow morning at 10 a. m., Thursday, December 6, 1956. All persons in the room who have been subpoenaed for today are directed to return tomorrow. We regret any inconvenience caused to any witness because of the continuance of the subpoenas but the committee has also caused inconvenience to itself by reason of postponement. Without further direction or proceeding the subcommittee stands adjourned until tomorrow morning at 10 a. m. All persons present subpoenaed for today are directed and ordered to appear tomorrow.

Mr. SCHERER. May I suggest that all persons who have been subpoenaed for today who are not present in the hearing room also be directed to appear in the hearing room at 10 a. m. tomorrow.

Mr. DOYLE. Yes, that is correct. All persons subpoenaed for today who do not happen to be present at this meeting are also ordered and directed to appear tomorrow at 10 a. m.

COMMUNIST POLITICAL SUBVERSION

THURSDAY, DECEMBER 6, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

PUBLIC HEARING

The subcommittee met, pursuant to call, in room 514, Federal Building, Los Angeles, Calif., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, Harold H. Velde, and Gordon H. Scherer.

Staff members present: Richard Arens, director; William A. Wheeler and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. DOYLE. The subcommittee will please come to order.

This morning this subcommittee of the Committee on Un-American Activities, composed of Representatives Velde, of Illinois, Scherer, of Ohio, and myself, Clyde Doyle, as chairman, begins hearings on the problem of Communist political subversion in this area.

These hearings are part of a series which the Committee on Un-American Activities has conducted in Washington, D. C., Youngstown, Ohio, and Chicago, Ill., and will continue in other cities.

By "political subversion" we mean the attempts of the Communist Party and its confederate organizations to destroy the security program of the United States Government.

In the hearings of this committee thus far held we have received an appalling picture of a campaign, under the direction of the Soviet Union, by the Communist Party in the United States, to rob our Nation of its defenses against ultimate annihilation by an alien conspiracy acting in defiance and contempt of the United States Constitution.

We have received a vast quantity of evidence of the techniques of infiltration and propaganda activities by which the Communist Party enlists sincere and well-meaning citizens to accomplish this illicit purpose of the Communist Party and its subversive groups.

I would like to emphasize that these hearings are not intended to deal with the merit or lack of merit of any particular Federal law. We are not here to participate in legislative controversy.

Our sole purpose is to examine Communist activities directed against these Federal laws.

No one contests the right of legitimate organizations and sincere individuals to participate in free discussion of the laws which govern them. and to petition their United States Congress.

But free discussion and genuine protest are entirely different from the operation of a conspiratorial apparatus which seeks to pervert honest interest and democratic procedures into an instrument of secret, illegal subversion.

And, bluntly speaking, it is subversion we are called upon to deal with today.

The testimony before the committee in this series of hearings has already established the fact that the Communist Party in the United States has created literally hundreds of separate front organizations to serve it in its current campaign of illegal subversion.

One of the primary objectives of this campaign by the Communist Party and its confederates is to strip our immigration and nationality laws of the provisions which make possible the deportation of alien Communist agents who, by fraudulent means, have obtained residence in the United States.

One of the most powerful of these agencies of the Communist Party in the United States is the American Committee for Protection of Foreign Born, which has accessory organizations in this immediate geographic area and throughout the United States.

The Los Angeles Committee for Protection of Foreign Born, which we will examine in detail during these hearings starting this morning, has long ranked as one of the major adjuncts of the American Committee for Protection of Foreign Born and, in turn, of the Communist Party itself.

In addition to the activities directed against the security provisions of the immigration laws we also plan to inquire into the coordinated efforts of the Communist Party against other basic anti-Communist legislation such as is contained in the Smith Act, Internal Security Act, and the Communist Control Act.

At this time I would like to point out that the Committee on Un-American Activities was first created as a regular standing committee by the 79th session of Congress in 1946, and has been reestablished by every session of Congress since then. Its powers and duties are set forth in Public Law 601 of the 79th Congress.

The full committee consists of nine members. And Public Law 601 of the 79th Congress expressly authorizes the creation of subcommittees such as is here this morning.

The committee established its own rules of procedure, which are printed, and each witness or legal counsel appearing before the committee receives a copy thereof.

We hope that, as a result of these hearings, the Committee on Un-American Activities will be able to consider legislative recommendations of further aid to the Government in combating the Communist conspiratorial subversive apparatus. And we hope, beyond this, that the information obtained here will serve further to alert the people of this geographical area and of the United States to the menace of the conspiratorial operation which still contrives to flourish among them.

I wish to state that this subcommittee was duly appointed by the chairman of the full committee—Francis E. Walter—by authority given him under Public Law 601.

The full subcommittee being present, the committee will proceed with its hearings. But, before we do this, may I say that we are in a

United States Federal building. This is a subcommittee of the United States Congress. We shall expect the utmost cooperation of every person in this room during the committee proceedings. If my expectations are not met by any person in this room that person will be promptly removed from the room by the United States marshal.

Are you ready, Mr. Arens?

Mr. ARENS. Yes, Mr. Chairman.

Mr. Chairman, before calling the first witness, may this record reflect a general order from the chairman that each of the many exhibits which we expect to use during the course of these hearings be appropriately marked and incorporated, either by reference or in the body of the record or in the appendix, as the case may be.

If the chairman gives us that general order it will save considerable time.

Mr. DOYLE. Without objection, it is so ordered.

May I state, for the benefit of the record and those present, that Mr. Arens is the director of our committee and also our legal counsel.

Proceed, Mr. Arens.

Mr. ARENS. The first witness, if you please, Mr. Chairman, is Delphine Murphy Smith.

Kindly come forward.

Please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Will you please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SMITH. I do.

**TESTIMONY OF MRS. DELPHINE MURPHY SMITH; ACCOMPANIED
BY COUNSEL, WILLIAM B. MURRISH**

Mr. DOYLE. Will you please be seated.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. SMITH. My name is Delphine Murphy Smith. My residence is 1650 McCollom Place, Los Angeles. I am a machinist.

Mr. ARENS. And where are you employed, please?

Mrs. SMITH. Where am I employed?

Mr. ARENS. Yes.

Mrs. SMITH. I was subpoenaed on the job, and that is 6500 South Avalon.

Mr. ARENS. And you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. SMITH. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mrs. SMITH. Yes, I am.

Mr. ARENS. Counsel, will you kindly identify yourself for the record.

Mr. MURRISH. William B. Murrish, M-u-r-r-i-s-h, Los Angeles bar.

Mr. ARENS. Are you Mrs. Smith or Miss Smith?

Mrs. SMITH. Mrs.

Mr. ARENS. How long have you lived in the Los Angeles area?

Mrs. SMITH. Right in Los Angeles?

Mr. ARENS. In the environs of Los Angeles.

Mrs. SMITH. The environs of Los Angeles. About 35 years. Not in Los Angeles city.

Mr. ARENS. Have you ever been executive secretary for the Los Angeles Committee for Protection of Foreign Born?

Mrs. SMITH. I believe I am going to have to refuse to answer that question, and I will state my reason for it, that, by asking me that, you are inquiring into my thoughts and associations.

Therefore, I am going to have to refuse to answer it on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you have ever been executive secretary for the Los Angeles Committee for Protection of Foreign Born you would be supplying information which might be used against you in a criminal proceeding?

Mrs. SMITH. I didn't intend to debate the matter. I merely stated that I refuse to answer it on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the last outstanding and principal question.

Mr. DOYLE. We believe it is an appropriate question, and I direct you to answer the same.

(The witness confers with her counsel.)

Mrs. SMITH. You say you require that I answer that?

Mr. DOYLE. I have instructed you. We believe it is an appropriate question, and you are instructed to answer the question.

Mrs. SMITH. I have refused to answer it on constitutional grounds. I stated the grounds:

The first amendment, which safeguards freedom of speech, which I am defending in this, and the fifth amendment, which protects people from testifying against themselves. I feel that this is an abrogation of my constitutional rights by demanding that I answer such a question. Beyond that, as I said before, I don't intend to debate it any further.

Mr. SCHERER. Mr. Chairman, perhaps the witness doesn't understand the import of Mr. Arens' question and the decisions of the court with reference thereto.

You have a perfect right, as you did, to invoke the fifth amendment to the first question you answered with reference to your secretaryship or former secretaryship of the Committee for Protection of Foreign Born. But then Mr. Arens asked you the question whether or not you honestly believed that to answer that question might tend or lead to a possible criminal prosecution.

Now the courts have said that he has a right to ask you that, to test your good faith in invoking the fifth amendment.

And then you must answer that question "yes" or "no," namely, that you do honestly believe, in invoking the fifth amendment, you may be subject to a possible criminal prosecution.

Mr. MURRISH. Mr. Chairman, counsel will state for the witness that the Supreme Court has several times said the fifth amendment is

for the protection of all the people, the innocent as well as the guilty. And it is intimately related to the first amendment and to prosecutions under tyrannical or unjust as well as valid prosecutions. It is obvious—

Mr. VELDE. Our policy is not to allow the attorney to tell the law to the committee.

Mr. MURRISH. I am attempting to tell counsel.

Mr. VELDE. You are allowed to advise your client of her rights.

(The witness confers with her counsel.)

Mr. SCHERER. It is obvious that counsel for the witness doesn't understand what I am trying to say.

I merely made the explanation because if she does not answer that question the witness is advised that she subjects herself to possible contempt.

(The witness confers with her counsel.)

Mrs. SMITH. When I stated my position on this I stated it clearly. I think I did, and I meant to state it clearly. I stand on my constitutional grounds of the first and fifth amendments.

I understood the question placed to me. I don't intend to debate it further with anyone present.

I don't think there is anything more I can say about it.

Mr. SCHERER. We have complied with the court's decisions.

Mrs. SMITH. I also adopt what my counsel said as a part of my position.

Mr. DOYLE. It is your testimony we want; not your counsel's. He is not a witness before this committee. He has a perfect right to advise you at all times as to your legal rights, and we don't object. We are glad to have counsel present. But, for the benefit of this counsel and all counsel present in the room, may I make it clear that from this time on I will not permit counsel to take the time of the committee to argue with us.

We are very sorry, but we do not have the time.

Mr. MURRISH. May counsel ask a question on your instructions?

Mr. DOYLE. No.

Mr. MURRISH. If a question of law arises may counsel undertake to state the law?

Mr. DOYLE. No, counsel, please. Under the printed rules of this committee with which you are familiar, and the policy of the committee we have no time to permit counsel to argue with us. We would like to have that time, but we do not have it.

May I make it clear to all counsel in this room and to you, sir, that we will not hereafter take any time to allow counsel to argue with us on points of law or anything else because we just do not have the time to do it.

Please let's proceed, Mr. Arens.

Mr. ARENS. Now, there will be shortly exhibited to you by Mr. Wheeler of this staff a photostatic copy of a signature card which this committee has subpoenaed from the California Bank, Los Angeles, Calif. It is a signature card for the Los Angeles Committee for Protection of Foreign Born. It is signed Delphine Murphy Smith, executive secretary. It is dated November 6, 1950.

Kindly look at that card and tell this committee whether or not that is a true and correct reproduction of your signature.

(Document marked "Exhibit No. 425a," see appendix, p. 7847.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Would you kindly answer the question?

Mrs. SMITH. What was your question?

Mr. ARENS. The question is: Does the document which was just displayed to you by Mr. Wheeler, a photostatic copy of the signature card for the Los Angeles Committee for Protection of Foreign Born on file at the California Bank, Los Angeles, Calif., bear a true and correct signature of yourself as executive secretary of this Los Angeles Committee for Protection of Foreign Born?

Mrs. SMITH. I am going to take the position on that that I took previously. I feel that to answer any question for this committee would be not only a violation of my constitutional rights but it would be an abrogation of the Constitution, the Bill of Rights, which safeguards all people to answer any question that this committee puts before me as a violation of any constitutional grounds that I might mention here. It is a violation of all constitutional rights.

As a matter of fact, I challenge the right of this committee to ask me this or any other question. Therefore, I am refusing to answer this on the grounds that I previously stated, the first and fifth amendments.

Mr. ARENS. You probably will observe, if you haven't already observed, Mrs. Smith, that the account card for the Los Angeles Committee for Protection of Foreign Born, which we have just displayed to you, shows, among other things, the following:

Account formerly with Civil Rights Congress.

Did you notice that on the card as it was displayed to you a moment ago?

Mrs. SMITH. As I said previously, I don't intend to debate the merits of that card, whether it is true or false, or debate any of these issues before the committee. I am stating my position again. I have stated it clearly.

Mr. ARENS. The record will, of course, reflect, as the card is embodied in the record, that the account was formerly with the Civil Rights Congress, according to this card.

Now, Mr. Chairman, I respectfully suggest that if, as, and when this witness signs a voucher for the purpose of procuring an allocation of per diem and travel expenses for appearance today, that part of the voucher which bears her signature be incorporated in this record. And I say so for the reason that it would then be available for comparison of signatures.

(Document marked "Exhibit No. 425b," see appendix p. 7848.)

Mr. DOYLE. Without objection, it will be so ordered.

Mr. MURRISH. Counsel objects to that. May Counsel object? Counsel objects to that.

Mr. DOYLE. No, no.

Mr. MURRISH. You said without objection.

Mrs. SMITH. I object. The witness objects.

Mr. MURRISH. And may I respectfully ask the chairman to instruct me? Because he said without objection. And I don't want the record to reflect that I did not object.

Mr. DOYLE. Now, Counsel, I made it crystal clear to you that you were not to address the committee except through your client.

Mrs. SMITH. May I state, Mr. Chairman—

Mr. DOYLE. This is not a court proceeding.

Mr. MURRISH. May I not object?

Mr. DOYLE. That should be enough. We are all lawyers.

Mr. MURRISH. And I may not.

Mr. DOYLE. Every member of this subcommittee is a lawyer of many years of practice. We understand your situation. But the rules of the committee do not permit you as a lawyer to make objections on legal grounds.

Mr. MURRISH. Then when you say no objection you mean by the committee.

Mr. DOYLE. That is right.

Mr. MURRISH. And not by counsel.

Mr. DOYLE. That is right.

Mr. MURRISH. May that be clear? Because I don't want to acquiesce in what I would not agree to.

Mr. DOYLE. We are asking you to acquiesce in the rules of the committee.

Mr. MURRISH. Yes.

Mr. DOYLE. And you are within your right if you do that.

Mr. MURRISH. Yes.

Mr. ARENS. Now, Mr. Wheeler is going to display to you a photostatic reproduction of The Lamp, published by the American Committee for Protection of Foreign Born, dated January 1950. And in this publication of the American Committee for Protection of Foreign Born we observe, among other things, the following:

A Los Angeles Committee for Protection of Foreign Born was established on November 29 at a citywide conference of organizations. More than 20 noncitizens, residents of Los Angeles, face deportation. The committee's first task centers around the fight to prevent arbitrary increases in bail.

Kindly look at this exhibit, if you please, and tell the Committee on Un-American Activities while you are presently under oath whether or not that recitation of the facts is, to your certain knowledge, true and correct.

(See exhibit No. 14, appendix, p. 7111.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Would you kindly answer the question.

Mrs. SMITH. I am going to decline to answer that question on the same grounds as I previously stated, the first and fifth amendments to the Constitution.

Mr. ARENS. Mr. Wheeler is going to display to you still another document. It is a brief history of the Los Angeles Committee for Protection of Foreign Born which has, in the normal course of the activities of this Committee on Un-American Activities, come into its custody and control.

Will you kindly display that to the witness, please, Mr. Wheeler?

(Document marked "Exhibit No. 426," see appendix, pp. 7849-7851.)

Mr. ARENS. You will observe that in this brief history of the Los Angeles Committee for Protection of Foreign Born there appears, among other things, the following:

Its—

that is the Los Angeles Committee for Protection of Foreign Born—prior history was as a subcommittee of political deportees within the Civil Rights Congress.

Kindly tell the Committee on Un-American Activities whether that statement, to your certain knowledge, is a true and correct presentation of the facts.

Mrs. SMITH. I would like to state that I don't intend to answer that question. The reason I don't intend to answer it is that I deny that this committee has the right to ask me any such question pertaining to my thoughts, my ideas, or my associations.

Therefore, I take the same stand that I have taken before.

If you ask me a thousand questions you will get a thousand answers the same as I have given you.

Mr. SCHERER. No matter what the questions are?

Mrs. SMITH. Pertaining to any abrogation of the Bill of Rights and my rights under the Constitution.

Mr. ARENS. Mr. Wheeler is going to display to you another document which is a photostatic copy of a carbon copy of a letter purportedly from the Los Angeles Committee for Protection of Foreign Born, dated October 27, 1950, addressed to Mr. Abner Green in New York City.

"Dear Abner" and so forth, and signed "Delphine Smith, executive secretary."

Kindly look at that document and tell this committee whether or not it presents a true and correct designation of yourself.

(Document marked "Exhibit No. 427," see appendix, p. 7852.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Would you kindly answer the question?

Mrs. SMITH. As I stated before, I refuse to answer that question on the same grounds.

And, in addition, to the committee, I deny that this committee has the right to ask me any such questions, the questions what I do, whom I associate with, what I think, or what ideas I have.

Therefore, I stand on the same constitutional grounds, the first and fifth amendments.

Mr. ARENS. Mr. Wheeler will display to you a photostatic copy of the Daily People's World of November 24, 1950, containing a letter to the editor, signed "Delphine Murphy Smith, executive secretary, Committee for Protection of Foreign Born."

The letter is with reference to certain activities of the Los Angeles Committee for the Protection of Foreign Born.

Kindly look at that exhibit, if you please, ma'am, and tell the committee whether or not that is a true and correct reproduction of a letter which you sent to the Daily People's World.

(Document marked "Exhibit No. 428," see appendix, p. 7853.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Would you kindly answer the question.

Mrs. SMITH. I feel compelled to refuse to answer that question.

It is a tradition in the United States that people write letters to editors. They have a right to write them.

And anything that you might produce there as a photostatic copy of this or that, whatever it might be—anyone who writes a letter has a right to write it.

Mr. ARENS. Did you write the letter, is all we are asking.

Mrs. SMITH. I refuse to answer that for the reasons, same reasons, I have stated.

Mr. ARENS. Mr. Wheeler will exhibit another document to you, a reproduction of a letter of the Los Angeles Committee for Protection of Foreign Born, an appeal for money, signed "Delphine M. Smith, Los Angeles Committee for Protection of Foreign Born."

(Document marked "Exhibit No. 429," see appendix, p. 7854.)

While he is in the process of physically transporting this document for your perusal tell the committee whether or not you have registered under the Lobbying Act of the United States Congress.

Mrs. SMITH. Lobbying Act of the United States Congress?

Mr. ARENS. Yes. Have you ever registered under the Lobbying Act?

Mrs. SMITH. I refuse to answer that on the same grounds.

Mr. ARENS. I respectfully suggest that this witness be ordered and directed to answer that question. It is a matter of public record.

Mr. DOYLE. It is surely an appropriate question, and I instruct the witness to answer.

(The witness confers with her counsel.)

Mrs. SMITH. If this is a matter of public record, then you know it.

If it is not a matter of public record, then you have no right to request it.

Therefore, I decline to answer on the same grounds.

As I said before, no matter how many questions you place to me that are in abrogation of my rights under the Constitution, I will refuse to answer as many questions.

Mr. SCHERER. You mean this committee doesn't have the right to ask you whether you are a registered lobbyist?

Do you really mean that? Do you feel that would incriminate you to answer that question?

Mrs. SMITH. As I stated, I decline to answer under the grounds of the first and fifth amendments.

(The witness confers with her counsel.)

Mrs. SMITH. And, as I said, I deny to you that you have the right to ask me such a question.

Mr. SCHERER. All right. This member of the committee feels that your refusal to answer that question places you in contempt. Just so you may understand.

Mrs. SMITH. If you place me in contempt, this is not my difficulty; it is not my thought. I have refused to answer on constitutional grounds those things which I felt were an abrogation of my rights under the Constitution.

Mr. SCHERER. It is our duty to advise you how we feel when you fail to answer the question.

Mrs. SMITH. I haven't failed to answer any question. I have answered all of your questions to the best of my ability under the Constitution. I have refused—

Mr. SCHERER. You have refused to answer.

Mrs. SMITH. May I finish my answer, please?

I have only refused to answer those questions which I consider to be an abrogation of my rights under the Constitution, the first and fifth amendments. That guarantees me the right to refuse to answer any questions that I feel may incriminate me and eventually, in some way or other, perhaps incriminate other people.

I am only speaking for myself when I say I refuse to answer on these grounds. They are strictly constitutional grounds.

Mr. SCHERER. Do you feel that you could refuse to answer a question of this committee which might incriminate someone else?

Mrs. SMITH. I certainly do not. I feel that my rights are being protected.

Mr. SCHERER. That is what you said.

Mrs. SMITH. I said perhaps eventually in some way——

I am not speaking for somebody else. I am merely speaking for myself. I can't plead self-incrimination for somebody else; only for myself.

Mr. ARENS. Is the record clear that this witness is ordered and directed to answer whether or not she is registered under the Federal Lobbying Act?

Mr. DOYLE. If it isn't clear I will again instruct the witness.

You are instructed to answer the question whether or not you are registered under the Federal Lobbying Act.

Mrs. SMITH. I repeat what I said before. I refuse to answer on these grounds previously stated.

Mr. DOYLE. Very well.

Mr. ARENS. Have you ever been employed at the Cannon Electric Co.?

Mrs. SMITH. You are inquiring into my places of employment, my thoughts, and associations again.

Again I must refuse to answer for the same reason.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I instruct you to answer the question. It manifestly is an appropriate question.

(The witness confers with her counsel.)

Mrs. SMITH. I refuse to answer that question also, on the same grounds.

Mr. ARENS. Mr. Wheeler is going to display to you a copy of the Communist Daily People's World with reference to the disassociation from the Cannon Electric Co. of certain employees. And the article has this heading: "Cannon Electric has carried out its first two loyalty firings under agreement—" and so forth, listing 1 or 2 persons who have been disassociated under a loyalty program of Cannon Electric, including one Mrs. Delphine M. Smith.

Kindly look at that exhibit and tell this committee whether or not you were fired from Cannon Electric under a loyalty program.

(Document marked "Exhibit No. 430," see appendix, p. 7855.)

(The witness confers with her counsel.)

Mrs. SMITH. I refuse to answer that question along with the other questions for the same reasons as stated, the first and fifth amendments.

Mr. ARENS. Now I invite your attention, if you please, to still another document from the Communist Daily People's World. It is an

article appearing under date of Monday, August 15, 1949: "Civil Rights Congress unit hits customs for leaflet seizures."

I summarize the essence of the article with reference to seizures by customs officials of certain propaganda coming into the United States. It quotes in this article a Mrs. Delphine Smith, identified in the article as from the Los Angeles Civil Rights Congress, and a member of the delegation filing the protest.

Kindly look at this exhibit, if you please, ma'am, and tell the committee whether or not it is an accurate representation of the facts.

(Document marked "Exhibit No. 431," see appendix, p. 7856.)

Mrs. SMITH. I refuse to answer this, as other questions, and repeat you have no right to ask me this, you or any other body so constituted.

Mr. ARENS. Now we have still another document.

We the people of the United States, of the city of Los Angeles in the State of California, do on this 157th anniversary rededicate ourselves to the principles of the Bill of Rights.

And this document attacks the House Committee on Un-American Activities. It protests the indictment of the Communist Party traitors in New York City. It protests a number of things. And it is signed by a number of persons, including one Delphine Smith, and issued by the Los Angeles Civil Rights Congress.

Kindly look at this document Mr. Wheeler is displaying to you, and tell us whether or not you were one of the participants and leaders in that movement.

(Document marked "Exhibit No. 432," see appendix, p. 7857.)

(The witness confers with her counsel.)

Mrs. SMITH. In placing these documents, as you call them, before me and asking me these questions you are in violation of the first amendment to the Constitution.

The first amendment protects all citizens. Therefore, I have refused to answer this in the same manner, the first and fifth amendments. I want to protect the rights of people to speak.

Mr. ARENS. Are you now a member of an organization dedicated to the destruction of the Constitution of the United States?

Mrs. SMITH. I refuse to answer that on the same grounds that I have stated previously, and will continue to state. The grounds of the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that, in the presence of this witness, another witness be sworn.

Mr. Stephen Wereb.

Would you kindly come forward.

Mr. DOYLE. Very well.

Mr. ARENS. Please remain standing, Mr. Wereb, while the chairman administers an oath to you.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. WEREB. I do.

TESTIMONY OF STEPHEN A. WEREB

Mr. ARENS. Won't you have a seat, please, Mr. Wereb.

Kindly identify yourself, if you please, sir, by name, residence, and occupation.

Mr. WEREB. My name is Stephen A. Wereb. I own and operate the Weber Typewriter Service. I am a resident citizen of the United States.

Mr. ARENS. Mr. Wereb, I expect to interrogate you at length in a little while on other matters. But, for the present, may I ask, have you ever been a member of the Communist Party?

Mr. WEREB. At the request of the Federal Bureau of Investigation, I was, sir.

Mr. ARENS. Over what period of time were you a member of the Communist Party?

Mr. WEREB. 1944, early part of, until the middle part of 1948.

Mr. ARENS. During all of the time of your membership in the Communist Party were you so engaged solely and exclusively at the behest of the Federal Bureau of Investigation to serve your country?

Mr. WEREB. That is correct.

Mr. ARENS. Were you at any time ideologically identified with the conspiracy?

Mr. WEREB. No, sir.

Mr. ARENS. Mr. Wereb, in the course of your membership in the Communist Party did you have occasion to know a person by the name of Delphine Murphy Smith?

Mr. WEREB. I did, sir.

Mr. ARENS. Did you know that person as a Communist?

Mr. WEREB. I did.

Mr. ARENS. Do you see that person in the hearing room today?

Mr. WEREB. I do.

Mr. ARENS. Would you kindly point her out to the committee.

Mr. WEREB. That is Delphine Smith sitting there in the blue dress.

Mr. DOYLE. In the witness chair?

Mr. WEREB. Yes. Wearing the blue dress.

TESTIMONY OF MRS. DELPHINE MURPHY SMITH—Resumed

Mr. ARENS. Mrs. Smith, would you kindly look around to your right at the gentleman who has just testified under oath.

(The witness confers with her counsel.)

Mr. ARENS. Mrs. Smith, while you are under oath, would you kindly look at the gentleman who has just testified. Look him in the face and tell this committee while you are under oath and while he is under oath, did he lie or did he tell the truth when he said he knew you as a Communist.

Mrs. SMITH. I don't intend to dignify these proceedings by answering that question "Yes" or "No" or looking around at the witness. He is your witness. I don't intend to look at him. I have no interest in looking at him. I, therefore, refuse to answer on the same grounds I previously stated. I think this is a terrible violation of my rights or anybody else's rights under the Constitution, that I should be required to question somebody, look at them or anything else. It has nothing to do with it.

Mr. SCHERER. I ask that you direct the witness to look at the witness Wereb.

(The witness confers with her counsel.)

Mr. DOYLE. Just as soon as she is through conferring with counsel.

Mrs. SMITH. I stand on the same grounds that I previously stood on. I restate what I said before.

Mr. SCHERER. The record should show that the witness refused to look at the witness as requested.

Mr. DOYLE. So that the record will show, I instruct you to face the witness Mr. Wereb who has, under oath, sworn that he knew you as a member of the Communist Party. And ask you if you recognize him.

Mrs. SMITH. I don't intend to dignify these proceedings by doing any thing of the sort. And I refuse on the same grounds that I previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest this will conclude the staff interrogation of Mrs. Smith, with our thanks, if you please, Mrs. Smith.

We would like, if you please, Mr. Chairman, to continue with the interrogation of Mr. Wereb if the committee has no further questions of Mrs. Smith.

Mr. DOYLE. Counsel, may I ask Mr. Wereb one question while Mrs. Smith is in the chair.

Mr. Wereb, you have been in the hearing room since the commencement of the hearing this morning?

Mr. WEREB. I have, sir.

Mr. DOYLE. You were here when Mrs. Smith, the witness presently in the witness chair, was called and took the oath?

Mr. WEREB. I was, sir.

Mr. DOYLE. You have observed her for the last 10 or 15 minutes while she has been on the stand?

Mr. WEREB. I did.

Mr. DOYLE. And you observed her, within 10 or 15 feet of her, at all times?

Mrs. WEREB. That is correct.

Mr. DOYLE. Is there any question in your mind but that this Mrs. Smith whom you have identified as a Communist is the one you knew as a Communist while you were an FBI agent?

Mr. WEREB. Not one whatsoever.

Mr. ARENS. I have one other question of Mrs. Smith.

Mrs. Smith, I put it to you as a fact and ask you to affirm or deny the fact that you were one of the leading colonizers in heavy industry in the Los Angeles area for the Communist conspiracy, and that you were first executive secretary at the behest of the Communist conspiracy for the Los Angeles Committee for Protection of Foreign Born.

Please answer that question while you are under oath.

(The witness confers with her counsel.)

Mrs. SMITH. You know you asked me some questions here—this question is one of them—in which you are violating the very principles which you purport to support. You purport to support and protect the Constitution of the United States. By the mere existence of this committee, each of you in your own way has abrogated the rights under the Constitution. You are denying that we have these rights. And I would like to state that you are 3, 5 lawyers. You said so earlier. I am no lawyer. I am expected to come here and pit my wits against you, against lawyers. So I am compelled to say what I have said. Not only compelled to protect myself, but I am compelled to protect the Constitution of which I am being accused of violating.

Mr. SCHERER. Which you Communists would destroy.

Mrs. SMITH. Would you please not interrupt me?

Mr. SCHERER. And you Communists would destroy it if you had the opportunity.

Mrs. SMITH. Are you asking me or telling me?

Mr. SCHERER. It is a comment. That is all.

Mrs. SMITH. You may comment. This is your committee; it is not mine.

Mr. SCHERER. Obviously, madam.

Mr. DOYLE. Counsel, I think that at this point it might be well to have the record show that, in line with my opening statement, the Los Angeles Committee for Protection of Foreign Born has long ranked as one of the major adjuncts of the American Committee for Protection of Foreign Born. Let the record show, and it is understood, that one reason we are questioning Mrs. Smith is not only because she has been identified under oath by Mr. Wereb here in her immediate presence just now, but that in the Guide to Subversive Organizations and Publications published by this committee May 14, 1951, page 13 thereof, it shows, first, that the American Committee for Protection of Foreign Born, in which the Los Angeles committee is one of the main adjuncts, was cited as subversive and Communist by Attorney General Tom Clark on June 1, 1948, and September 21, 1948 and that on March 29, 1944, and June 25, 1942, the Special Committee on Un-American Activities published a statement saying:

One of the oldest auxiliaries of the Communist Party in the United States.

And then the California Committee on Un-American Activities, in its report of 1947, declared as follows:

"Among the Communist-front organizations for racial agitation" which also serve as "money-collecting media" and "as special political organizing centers for the racial minority they pretend to champion." Works closely with the International Labor Defense, legal arm of the Communist Party, in defense of foreign-born Communists and sympathizers.

I wanted the record to show that for the benefit of Mrs. Smith, so she will further understand why we have called her and asked these questions.

Mrs. SMITH. You have taken a good deal of time, Mr. Chairman, to attack the Constitution. I wonder if you will permit me as much time to attack this committee and give valid reasons for attacking it?

Mr. DOYLE. We have been very courteous, and glad to be cooperative with you.

Mrs. SMITH. Will you deny me the right to do that? Will you deny me the same amount of time that you had to attack the Constitution?

Mr. DOYLE. You take all the time you please to make this a forum for your speech, and that is all right.

Mrs. SMITH. Do you deny me the right to take the same length of time you have had to attack the Constitution, to defend the Constitution and attack this committee? Will you give me that right?

Mr. SCHERER. Madam, if you will answer any of the questions that Mr. Arens asks you, any of the pertinent—

Mrs. SMITH. I answered every question that was asked me except those in abrogation of my constitutional rights. I stood on those grounds only.

Mr. SCHERER. You answered the question about your name and your location of your employment, and that is all you have answered. The

rest of the questions you have refused to answer, invoking the fifth amendment. Now I am saying that——

Mrs. SMITH. You are in violation of the Constitution. For that reason I refused to answer them, and only that reason.

Mr. SCHERER. If you will answer those questions we will let you speak for a half hour.

Mrs. SMITH. You say that I can only answer those questions which you want me to answer. I can only say those things which you, in your narrow little thinking, deem right for me to answer. I can only answer the things that you think I should answer. In other words, you are denying me the right to say what I want to say.

This is exactly what I said when I came before this committee, that you are denying the right of freedom of speech, the first amendment.

You are probing into thoughts and associations.

Mr. VELDE. Mrs. Smith, do you actually have contempt for this committee?

Mrs. SMITH. I refuse to answer questions——

Mr. VELDE. Will you answer that question? Do you have contempt for this committee?

Mrs. SMITH. You are denying me that right.

Mr. VELDE. Do you have contempt for this committee?

Mrs. SMITH. I refuse to answer that in this committee while the cards are stacked against me. You are lawyers. I am not a lawyer. I don't have the command of knowledge that you have pertaining to law.

Mr. VELDE. May I say, Mr. Chairman, I associate myself with Mr. Scherer.

Mrs. SMITH. I would debate these things publicly with anybody, but not before this committee.

Mr. DOYLE. Mrs. Smith, you have very able counsel by your side. Are there any other questions?

Mr. SCHERER. I have just one question.

Have you continued to be a member of the Communist Party since the Russians marched into Hungary?

Mrs. SMITH. Sir, I consider that a baiting question. You are attempting to anger me, to throw me off guard, so I will say some terrible thing that you will say "Ah, now we have her."

I refuse to debate these questions with you. In an open and free and public forum: yes, I would debate any number of questions, including any number of people.

You asked me a question. I would like to be permitted to answer. You refuse to allow me time to answer.

Mr. SCHERER. I ask that she be directed to answer.

Mrs. SMITH. I refuse to answer this question on the same grounds.

As I stated, in any public forum that was a free forum where the cards were not stacked against me, where it was not a loaded forum, where it was not your forum, an unconstitutional forum, I would be glad to do it. I would be more than glad to do it.

Mr. SCHERER. When you were not under oath you would be glad to.

Mrs. SMITH. I would be glad to state my position at any time except before this committee. I don't intend to state it before this committee.

Mr. SCHERER. Because you are under oath.

Mrs. SMITH. I have stated my reasons. I will reiterate those reasons, the first and fifth amendments. As I said, no matter how many times you ask me, it will still be these grounds.

Mr. DOYLE. Mrs. Smith, it is not always that we are able to produce face to face a person who identifies another person as a member of the Communist Party. This morning we have been able to do that for your benefit in producing Mr. Wereb. He is right here within 4 or 5 feet of you.

I wish to ask you again whether or not you care to affirm or deny or state that Mr. Wereb's testimony is false and untrue. He is under oath also.

What is your answer to that question?

Mrs. SMITH. As I said before, I don't intend to, now or at any time, dignify your witness by even looking at him. He is of no consequence to me.

Mr. DOYLE. Any other questions?

Mr. ARENS. No thank you, Mr. Chairman.

Mr. DOYLE. Thank you, Mrs. Smith. You are excused.

Mr. ARENS. Mr. Wereb, kindly assume the witness chair.

TESTIMONY OF STEPHEN A. WEREB—Resumed

Mr. ARENS. Mr. Wereb, you have previously testified before the Committee on Un-American Activities?

Mr. WEREB. I have, sir.

Mr. ARENS. We have, for present purposes, only a few questions to ask you to complete the record on the subject matter under consideration by the committee.

During the course of your membership in the Communist Party at the behest of the Federal Bureau of Investigation did you know a person by the name of Carl Brant, B-r-a-n-t?

Mr. WEREB. I did, sir.

Mr. ARENS. Kindly tell the committee the circumstances of your acquaintanceship with him and any information you may have respecting activities which were, to your judgment, detrimental to the security interests of this Nation.

Mr. WEREB. This is going to be a long answer. Do you mind?

Mr. ARENS. Go right ahead.

Mr. WEREB. I met Mr. Brant, Carl Brant, at one of the functionary meetings at the Los Angeles County Communist Party. He was introduced to me at that time as the labor chairman.

Carl Brant has appeared at every functionary meeting of the Los Angeles County Communist Party that I can recall from 1944 to 1948.

He also was known to me as a representative of a union.

Carl Brant has been one of the policy formers of the Los Angeles County Communist Party. He was the chairman of the resolutions committee at the flip-flop of the Browder firing. He is the man who wrote and presented to the functionaries and to the convention at that time a resolution condemning the action of the United States Government.

He is the same gentleman—the same man. I beg your pardon. He is the same man who advocated violence for the first time, in my years' living in the United States, openly and publicly.

Mr. ARENS. Do you have a specific illustration of that advocacy of violence?

Mr. WEREB. I was on the functionary committee of the bay area, which took in Torrance, Hawthorne, Inglewood, and the southwest section. Also members of what they call the Southwest Industrial Section.

Mr. DOYLE. May I interrupt.

The functionary committee of what?

Mr. WEREB. I am speaking of the Communist Party, sir.

Mr. DOYLE. You were?

Mr. WEREB. Yes, sir.

One afternoon we had a call from the Los Angeles County Committee at 124 West 6th Street from a person by the name of Nemmy Sparks, who was then the chairman of the Los Angeles County Communist Party. He said, "Steve, I want to you to go to a meeting at an auditorium." He gave me the address, which I don't have the correct number at the present time, but it is located at Jefferson near Vermont Avenue. There were about 15 to 20 functionaries at that meeting.

Bud Blair was the chairman of the Southwest Industrial Section. Bud Blair introduced this man to the functionaries as the labor chairman of the Los Angeles County Communist Party, and that he would address the crowd.

Carl Brant stood on the podium and told the group that the Fascist courts of the United States, or the State of California, have ordered the limiting of pickets at a plant, the United States Motors, at that time on strike, and that he was not going to stand for any screwy Fascist decisions.

He demanded that each one of the functionaries there, whose duty it was to mobilize manpower, bring at least 250 people for the following morning to this plant which was located between Avalon and Main Street on Slauson Avenue. At least 250 husky manpower.

I was personally instructed to bring the longshoremen, stevedores, and those people of the Maritime Workers because it was my—partially my district. And at 7 o'clock the following morning they would give the Los Angeles Police Department all the hell that they were looking for. There would be violence. And the huskier the manpower the better it would be.

I most naturally did not call anyone but the proper authorities for that.

And Carl Brant the following morning led a group of people with Philip Connelly. They were at the head of this parade that were going to whip the police. He headed this group. I imagine there were 3,000 people in this group. They were armed with civilian defense helmets to keep from getting hurt by the police. Some of them carried their batons that were used, sticks and things that were gathered at this hall where the gathering took place. And they were going to be used against the police after the police warning, calling the court order to the men over and over.

Mind you all these people were not Communists. These were union people who were being led and duped by a Communist.

Mr. ARENS. Do you here and now identify Carl Brant as a person who, to your certain knowledge, was a Communist and a member of the Communist conspiratorial apparatus?

Mr. WEREB. I have not seen him, sir.

Mr. ARENS. Did you know him as a Communist?

Mr. WEREB. I did know him at that time as a Communist.

Mr. ARENS. When was that?

Mr. WEREB. That was from 1944 until the middle of 1948.

Mr. ARENS. Did you in the course of your experience in the Communist Party at the behest of the Federal Bureau of Investigation know a person by the name of Charles Gladstone?

Mr. WEREB. I did, sir.

Mr. ARENS. Did you know him as a Communist?

Mr. WEREB. I did, sir.

Mr. ARENS. Could you give us further identification of Charles Gladstone?

Mr. WEREB. Charles Gladstone, sir, was a member of, I believe, the garment industry.

Mr. ARENS. Where?

Mr. WEREB. In the city of Los Angeles. Also a longtime member of the Communist Party.

The very first time I was introduced to him, I was introduced to him by a woman who was a secretary and membership secretary of our group, Edith Smith. And she introduced me to him as Charley Young once; the next time as Charles Gladstone, and I believe there was another alias which I don't recall at this time.

And he was active, very active in the county committee and in functionary meetings. I have seen him many and many a time at those doings.

Mr. ARENS. Did you, in the course of your experience in the Communist Party at the behest of the Federal Bureau of Investigation, know a person by the name of Sanford Goldner, G-o-l-d-n-e-r?

Mr. WEREB. I have seen him not too many times. Four or five times I have seen him, sir.

Mr. ARENS. Where?

Mr. WEREB. I have seen him at functionary meetings at 2222 West 7th Street.

Mr. ARENS. Were those meetings to which only Communists were admissible?

Mr. WEREB. That is correct. Not only Communists but they were Communist functionaries only.

Mr. ARENS. Those would be full-time members of the party?

Mr. WEREB. That is correct.

Mr. ARENS. Do you identify him as a person who, to your certain knowledge, was a Communist?

Mr. WEREB. At that time; yes, sir.

Mr. ARENS. Did you, during the course of your experience in the Communist Party at the behest of the Federal Bureau of Investigation, know a person by the name of John Uhrin, U-h-r-i-n?

Mr. WEREB. I have seen Mr. John Uhrin—I believe I have seen him in the room this morning. He is one of the few that I have seen in the room. He has been very active in the foreign end, or the Hungarian group.

Mr. ARENS. Of what?

Mr. WEREB. Of the Communist Party. He has controlled the very first workers' corps, workers' club, and the workers' movement in the Hungarian movement as early as 1921 when he first came.

Mr. ARENS. Is he a person who, to your certain knowledge, was a member of the Communist Party?

Mr. WEREB. He has attended Communist Party meetings in my presence, sir.

Mr. ARENS. Were those meetings to which only comrades were admissible?

Mr. WEREB. I would not be too sure, and I wouldn't recall that at this time, sir.

Mr. ARENS. Do you know whether or not he was a Communist?

Mr. WEREB. I do know that, sir.

Mr. ARENS. Did you know, during the course of your experience in the Communist Party at the behest of the Federal Bureau of Investigation, a man by the name of Frank Whitley, W-h-i-t-l-e-y?

Mr. WEREB. I did, sir.

Mr. ARENS. Did you know him as a Communist?

Mr. WEREB. He was a Communist. He was a member of the West Adams group.

With all apologies to everybody here—I don't mean to point out anybody's race—he was a colored gentleman, and he—I will change that again. He was a colored man. And he tried very, very hard a number of times to become an elected or appointed member of the county committee, and he never made it. But he always acted as a functionary from the West Adams group.

Mr. ARENS. Did you know him as a Communist?

Mr. WEREB. I did, sir.

Mr. ARENS. Now, Mr. Werek, during the course of your experience in the Communist Party at the behest of the Federal Bureau of Investigation, did you have occasion to acquire information respecting the emphasis which the Communist Party placed on a counterattack against the legislative efforts to expose and deal with the Communist Party, such as the Smith Act, the Internal Security Act, the security provisions of the Immigration and Nationality Act, Communist Control Act, and comparable legislation?

Mr. WEREB. I do, sir.

Mr. ARENS. To what extent was there an emphasis placed by the Communist Party, and to what extent is there presently an emphasis placed by the Communist Party and its front groups in creating sentiment and in undertaking to engage in what we might call political subversion against this legislative effort of the Congress?

Mr. WEREB. At the time of my membership, sir, I do not recall just at this present time how many fronts or how many groups the Communist Party had started. It was the order of one meeting where the chairman and speaker was William Schneiderman, who was convicted under the Smith Act.

Not at that time, of course. He has been convicted since.

Mr. Schneiderman stood before the crowd and told everyone to be doubly aware of anyone who might have police, Federal Bureau of Investigation, or any spy activities whatsoever because from then on they would have to split the party into small splinters, and the small splinters would have to control friendly groups. They called them at that time supportive groups.

And these groups I never had a chance to work in directly because I worked from 4 to 5 nights every week, including almost every Sun-

day. And it was one of those things that I just couldn't take part in everything. And I was not too well acquainted. But I do know that they attacked anything, any legislation, any Senator, any Congressman who might in one way, shape, or form add anything contrary to their ideas.

Mr. ARENS. Now may I just ask you this question:

On the basis of your background and experience in the Communist Party at the behest of the Federal Bureau of Investigation, are you in a position to tell this committee and, via this committee, the American people whether the Communist Party, the Communist operation, is merely a political operation or is it a conspiratorial apparatus designed to overthrow the Government of the United States by force and violence and to subvert our American institutions?

Mr. WEREB. The Communist Party has dedicated itself in my presence, at the time of the overthrow of the Browder regime, to be a militant, a revolutionary, anti-United States Government group. And, as I testified once before, I sat there and listened to at least five of their leaders who gave their word and their pledge to establish the dictatorship of the proletariat, to establish a Bolshevik system of government in this country.

And those men, in whose presence this was said, were all higher functionaries of the Communist Party.

Mr. ARENS. Is this serious business we are engaged in here, undertaking to expose the Communist conspiracy? Or are we just dealing with a few intellectual crackpots?

Mr. WEREB. This, sir, is an international movement of grave danger. And if anyone in the world has any doubt, all they have to do is pick up the paper and look at the dead in Budapest and see how they applied the democratic forces they wish to apply here.

Mr. ARENS. Thank you, sir.

I respectfully suggest that would conclude the staff interrogation of this witness. He has been interrogated on other subject matters as the chairman knows, by this committee. We wanted his testimony with reference to this particular area of the committee's concern.

Mr. DOYLE. Any questions, Mr. Velde?

Mr. VELDE. No questions, Mr. Chairman.

But I do want to make a comment. I want to commend Mr. Werek on the very intelligent, fine statement he has made before the committee this morning. And I am sure that all patriotic American people would commend Mr. Werek for the fine patriotic services he has rendered.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. No. I just join in the sentiments of my colleague from Illinois.

Mr. DOYLE. And I will join in Mr. Velde's statement.

The witness is excused pending further questions by counsel.

Mr. ARENS. Would you accommodate the committee by remaining in the hearing room because we may have some other folks who might want to have an opportunity to look you in the face and tell this committee whether or not you were telling the truth while you were under oath.

Mr. WEREB. I will be very happy to, sir.

Mr. DOYLE. The committee will stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle, Velde and Scherer.)

Mr. DOYLE. The committee will please be in session.

May I make two statements.

First, there will be absolutely no smoking in this room, by order of the United States marshal.

Secondly, I want to thank the audience for its cooperation this morning in making it fairly easy for the committee to function and for everyone to be heard.

The committee will adjourn at 12 o'clock, and reconvene at 2.

Mr. ARENS. Mr. Carl Brant, kindly come forward.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. BRANT. I do.

TESTIMONY OF CARL BRANT, ACCOMPANIED BY COUNSEL, JOHN W. PORTER

Mr. BRANT. Mr. Chairman, is this hearing being televised?

Mr. DOYLE. Well, your pictures are being taken, as you see.

Mr. BRANT. Is it being televised?

Mr. DOYLE. No, it is not, I am informed.

Mr. BRANT. Would you mind identifying this gentleman up here? Is he one of the committee?

Mr. DOYLE. Never mind. Let's proceed.

I have told you I am informed it is not being televised.

Let's proceed.

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. BRANT. Carl Brant, 2843 Avenel Street, construction worker.

Mr. ARENS. Mr. Brant, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BRANT. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. BRANT. Yes.

Mr. ARENS. Will counsel kindly identify yourself.

Mr. PORTER. John W. Porter, Los Angeles.

Mr. ARENS. Mr. Brant, where are you employed?

Mr. BRANT. Well, I want to answer that question in this way:

I would like to make clear that my attitude toward this committee and my response to any questions asked of me are determined by several factors.

Mr. ARENS. Just tell us, are you reading from a prepared statement?

Mr. BRANT. I have some notes.

Mr. ARENS. Who prepared those notes?

Mr. BRANT. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. BRANT. I am trying to answer the original question. Am I going to be permitted to answer it?

Mr. DOYLE. Answer the original question, but don't read a long statement to us.

Mr. BRANT. I haven't got a long statement. I want to answer the question. You brought me up here and expect me to answer questions.

Mr. ARENS. Tell the committee—and we will supersede all questions with this for the moment—to your certain knowledge was it a Communist who participated in the preparation of the statement which you are about to read to the committee.

Mr. BRANT. The history and the record of this committee being what it is, and my rights being placed in jeopardy, and this committee being established, in my opinion, in violation of the first amendment to the Constitution of the United States—because this committee was set up under a resolution which states that its sole purpose is to investigate propaganda—

Since propaganda is the propagation of ideas, it is a violation of the first amendment to the Constitution. I don't intend to be a party to any violation of the first amendment to the Constitution.

I believe that this—

Mr. ARENS. Would you hesitate there a moment?

Mr. BRANT. Why don't you let me finish?

Mr. ARENS. Will you tell us about any conspiratorial overt acts of which you may have knowledge?

Mr. BRANT. Are you afraid to let me finish the answer to the question you asked me? You are trying to interrupt me every time I get started.

Mr. ARENS. You go right ahead.

Mr. BRANT. Thank you.

Mr. SCHERER. Just a minute.

Before he goes ahead I want to ask counsel a question.

Is this the man that Wereb just identified?

Mr. BRANT. He is interrupting again. I thought I was going to have a chance to answer the question.

Mr. SCHERER. Is this the man just identified as advocating force and violence and overthrow of this Government?

Mr. ARENS. Yes, that is the man. Yes, sir.

Mr. SCHERER. Now I understand.

Mr. BRANT. Mr. Chairman, could I finish the answer to the question?

Mr. DOYLE. Let's you and I have an understanding because I have an obligation, too.

I will not have time to let you make this hearing a forum for a long dissertation—you understand that—for a long speech.

Mr. BRANT. I want to inform you, Mr. Doyle, that I don't desire that opportunity for a long time to talk.

Mr. DOYLE. I will expect you to be brief.

Mr. BRANT. I will try to be as brief as I can and within the—depending, of course, upon the kind of questions you ask of me and the kind of interruptions that take place and so forth.

But I, of course, did not come here willingly. I wouldn't come to a meeting before a committee of this type of my own free will and volition.

Mr. DOYLE. We know that. Please answer the question and don't make this a forum for your prepared speech, please. I know you would like to.

Mr. BRANT. Well, I am going to refuse to answer any questions which invade my legal rights. And the record of the committee is such that I find it incumbent to do so. The Detroit Free Press, for example——

Mr. SCHERER. I object to any reading of what the Detroit Free Press said.

Mr. BRANT. Are you afraid to hear what the Detroit Free Press said about this committee?

Mr. SCHERER. I ask that you direct the witness to answer the question. And if he doesn't answer it and he continues to make a speech we proceed to the next question. Then I will move to cite this Communist for contempt.

Mr. BRANT. What is this here, Mr. Chairman?

Mr. VELDE. I will second the motion.

Mr. BRANT. I am here at the instance of the committee, and there is a gadget here. I would like to know what is going on.

Mr. PORTER. This witness has a right to counsel, Mr. Chairman, free from snooping and wiretapping and listening in.

I ask the chairman to direct the man with the device here at the witness' left to remove himself.

Mr. DOYLE. Yes. What is that?

BROADCASTING TECHNICIAN. Mutual Broadcasting System, sir.

Mr. DOYLE. The witness objects to it. Please desist.

Mr. ARENS. Mr. Brant, let's get back to the principal question. Where are you employed?

Mr. BRANT. I decline to answer that question because of the reasons that I was trying to state, and I want to finish stating them to the——

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. BRANT. I am trying to answer the question.

Mr. SCHERER. He is making a speech. I ask that you direct the witness to answer the question. If he does not invoke the fifth amendment, let's proceed to the next question.

Mr. BRANT. I am trying to——

Mr. SCHERER. I am not interested in listening to a man——

Mr. BRANT. I am trying to invoke the first and fifth amendments to the Constitution of the United States.

Mr. DOYLE. That is all you have to state. We are not going to let you read an editorial from any paper or anything of that sort. Please proceed and cooperate with the committee rules.

Mr. SCHERER. I suggest we proceed to the next question.

Mr. BRANT. I would like to have cooperation from the committee also. This is not a free and equal forum that is taking place here today because you are——

Mr. ARENS. Do you know a man by the name of Stephen Wereb?

Mr. BRANT. I decline to answer that question because of the reasons I have already stated under the first and fifth amendments to the Constitution. It is an invasion of my legal rights, and I am not going to answer the question.

Mr. ARENS. Mr. Wereb took an oath a few minutes ago.

Mr. Wereb, would you please stand?

(The witness, Wereb, arose.)

Mr. ARENS. Look over your shoulder, please, Mr. Brant, at Mr. Wereb.

Mr. BRANT. I don't care to look over my shoulder at this creature.

Mr. SCHERER. Just a minute. I ask that you direct the witness—

Mr. DOYLE. May we ask your cooperation for the purpose of identification? Because you are both under oath.

Mr. BRANT. I don't believe I am under any obligation to do that, Mr. Chairman. I refuse to do it.

Mr. SCHERER. I ask that you direct him to look at the witness.

Mr. DOYLE. I am directing you to look at the witness Mr. Wereb.

Mr. BRANT. When you show courtesy to me and permit me to proceed without interruptions, I certainly will give you every courtesy in the world.

Mr. ARENS. Will you tell us about the Communist conspiracy if you have any information on that?

Mr. BRANT. That is a question that is asked for publicity purposes. It is a loaded question. I will not answer the question under the first and fifth amendments of the Constitution.

Mr. ARENS. Mr. Wereb testified under oath a little while ago, laid his liberty on the line, and said that he knew you as a member of the Communist conspiratorial apparatus. While you are under oath tell the committee was he lying or was he telling the truth.

Mr. BRANT. I refuse to answer that question for the reasons I have already given.

Mr. ARENS. Give the reasons again.

Mr. BRANT. The first and fifth amendments of the Constitution.

Of course, I haven't been giving them fully, but I do stand on the first and fifth amendments.

Mr. DOYLE. Those are sufficient and we respect them, of course, the same as you do.

Mr. ARENS. Do you honestly apprehend if you told this committee truthfully whether or not you know Mr. Wereb you would be supplying information which could be used against you in a criminal proceeding?

Mr. BRANT. I don't care to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mr. PORTER. I suggest that counsel be directed to show the courtesy to the witness of not interrupting before the witness has been given a reasonable opportunity to answer the question.

Mr. ARENS. I respectfully suggest that counsel to the witness be admonished that his sole and exclusive prerogative is to advise his client as to his constitutional rights.

Mr. PORTER. If counsel will not observe the amenities on the part of the committee, counsel for the witness has to fight to protect the witness.

Mr. DOYLE. You are well acquainted with the proceedings of the committee, and I ask your cooperation, Attorney Porter, in not violating the rules of the committee. I am sure you will do that.

Now the question is one that I believe is entirely appropriate for me to instruct you to answer, and I instruct you to answer the last question.

Mr. BRANT. What is the question, Mr. Doyle?

Mr. DOYLE. May we have the question, please, Mr. Reporter?
(Whereupon, the record was read by the reporter as follows:)

Do you honestly apprehend if you told this committee truthfully whether or not you know Mr. Wereb you would be supplying information which could be used against you in a criminal proceeding?

Mr. BRANT. Mr. Chairman, I don't have to state the reasons in explanation of any legal position. I simply stand on the first and fifth amendments.

Mr. SCHERER. The Court says you do. You have to answer that question yes or no. If you don't, you are in contempt of the committee.

Mr. DOYLE. What is your answer to that last question?

Mr. BRANT. I answer it by stating that I stand on the fifth amendment. And the first amendment, of course.

Mr. ARENS. We have just one other little preliminary.

Do you know your counsel, Mr. Porter, in any capacity other than the capacity of attorney and client?

Mr. BRANT. I think that is a very unfair question. And I think it is a statement which has no place in these proceedings. My counsel is here to represent me legally.

Mr. ARENS. Yes, and I am just asking you if you know him in any other capacity.

Mr. BRANT. I refuse to answer any question of that type you have asked, under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. BRANT. And I have my right to legal counsel.

Mr. ARENS. We want you to have legal counsel.

Tell this committee do you know your counsel, Mr. Porter, in any capacity other than as legal counsel.

Mr. BRANT. I have already answered the question.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct you to answer the question.

Mr. BRANT. I refuse to answer it under the first and fifth amendments.

Mr. ARENS. Mr. Brant, Mr. Wheeler is going to lay before you 5 letterheads of the Los Angeles Committee for Protection of Foreign Born, and on each of these letterheads your name appears as a sponsor of the Los Angeles Committee for Protection of Foreign Born. Two are in 1954, another in 1955, and two back in 1953.

(Documents marked "Exhibits Nos. 433-437, see appendix, pp. 7858-7860.)

Would you kindly look at those letterheads and see if you can help this committee of the Congress undertaking to develop facts on subversion as to whether or not you are accurately described there as a sponsor of the Los Angeles Committee for Protection of Foreign Born as of the dates indicated?

(The witness examines documents and confers with his counsel.)

Mr. BRANT. There's several documents here. What is your question?

Mr. ARENS. Out of the several dates there I just thought you perhaps could tell us whether or not any of those exhibits accurately describe you as a sponsor.

Kindly look at those letterheads and tell the committee whether or not you are accurately described as a sponsor of the Los Angeles Committee for Protection of Foreign Born.

(The witness confers with his counsel and examines documents.)

Mr. BRANT. I notice one of them states that you have——

(The witness confers with his counsel.)

Mr. ARENS. Would you please answer the question.

Mr. BRANT. Just a moment. I will.

Mr. ARENS. Thank you.

Mr. BRANT. I refuse to answer the question under the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you told the committee truthfully whether or not you are and have been a sponsor of the Los Angeles Committee for Protection of Foreign Born you would be supplying information which might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. BRANT. I refuse to answer that question under the fifth amendment.

Mr. ARENS. Mr. Chairman, I suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct the witness to answer that last question.

(The witness confers with his counsel.)

Mr. BRANT. The same answer.

Mr. DOYLE. As you gave before to the same question?

Mr. BRANT. Yes.

Mr. DOYLE. The first and fifth amendments?

Mr. BRANT. My answer is that I am standing on the first and fifth amendments.

Mr. ARENS. Now we have, Mr. Brant, a publication of the Communist Party itself of 1939.

Twenty Years of Growth and Progress of the Communist Party, USA.

And it sets forth the executive committee. And this publication identifies as one member of the executive committee of the Communist conspiratorial apparatus a person by the name of Carl Brant.

Please look at that publication and tell us whether or not certain pages accurately describe you and your status as a member of the Executive Committee of the Communist Party.

(Document marked "Exhibit No. 438a, b," see appendix, pp. 7861, 7862.)

(The witness examines document.)

Mr. BRANT. I decline to answer the question on the first and fifth amendments of the Constitution.

Mr. ARENS. Did that publication of the Communist Party lie or did it tell the truth when it said that you were a member of the executive committee of this congressional district of the Communist conspiracy?

Mr. BRANT. Same answer.

Mr. ARENS. Now do you know a man by the name of William Ward Kimple, K-i-m-p-l-e?

Mr. BRANT. Same answer. I decline to answer under the first and fifth amendments.

Mr. ARENS. Kimple laid his liberty on the line before this committee and testified under oath that he knew you as a member of the Communist conspiracy. Was he lying or was he telling the truth?

Mr. BRANT. I decline to answer under the first and fifth amendments.

Mr. ARENS. Do you know a person by the name of Max Silver?

Mr. BRANT. Same answer.

Mr. ARENS. Max Silver laid his liberty on the line and testified under oath before this committee that he knew you as a member of the Communist conspiracy and that you were a Communist. Was he lying or was he telling the truth?

Mr. BRANT. The same answer; first and fifth amendments.

Mr. ARENS. I have still another publication I want to invite to your attention. It is the Communist Daily People's World. This Communist Daily People's World of February 2, 1954, has an article:

FOREIGN BORN COMMITTEE SETS PARLEY FEBRUARY 28

The Los Angeles Committee for Protection of Foreign Born today announced a conference on the campaign to repeal the Walter-McCarran law and defend victims of the legislation.

Joining in the committee in sponsorship of the conferences were a number of people, including one Carl "Brandt."

Look at that publication and see whether or not it was erroneously putting the finger on you as one of the sponsors of this conference.

(Document marked "Exhibit No. 439," see appendix, p. 7863.)

(The witness examines document.)

Mr. BRANT. I decline to answer the question because it is an invasion of my rights under the first and fifth amendments.

Mr. ARENS. Now I have still another document I want to invite to your attention and see if you can help this Committee on Un-American Activities to develop facts on subversion. It is the Communist Daily People's World of Thursday, April 6, 1950. The article to which I would invite your attention is entitled "Los Angeles Conference Called on Civil Rights."

A number of people have joined in a call to a conference and convention initiated by the Civil Rights Congress, including one Carl "Brandt."

Look at that article and see if that publication accurately describes your participation in that conference.

(Document marked "Exhibit No. 440," see appendix, p. 7864.)

(The witness examines document.)

Mr. BRANT. I decline to answer the question for the same reasons.

Mr. ARENS. Now we have still another publication. This exhibit tells about a big rally to be held (April 4, 1953) under the joint auspices of the Civil Rights Congress and the Negro Labor Council of Los Angeles on behalf of the Northwest Smith Act defendants. Those were the Communist traitors who were convicted.

And it tells about the sponsorship of this group, including one Carl Brant, United Electrical Workers, 1421.

Please look at that publication and see whether or not that Civil Rights Congress was invading your rights in telling about you being a participant in that conference.

(Document marked "Exhibit No. 441," see appendix, p. 7865.)

(The witness examines document.)

Mr. BRANT. Same answer.

Mr. ARENS. Now while you are under oath would you care to tell the Committee on Un-American Activities what was behind the Eisler case? Was it all a frameup or was it something legitimate? Tell us about that, would you, please?

Mr. BRANT. I don't care to discuss the Eisler case with this committee.

Mr. ARENS. Why?

Mr. BRANT. It is a matter of my own personal thinking as to whether I have any thoughts about Eisler or anybody else.

And under the first amendment I don't believe that it is required of me to reveal any thoughts that I may or may not have to this committee.

And I stand on the first and fifth amendments.

Mr. ARENS. Do you honestly feel that if you told this committee what you know about the Eisler case you would be revealing facts that could be used against you in a criminal proceeding?

Mr. BRANT. Well, I would like to tell you how and the reasons I stand on that.

Mr. ARENS. I wish you would, please, sir.

Mr. BRANT. All right. You are going to allow me, I am sure, to answer.

Mr. ARENS. Sure I will.

Mr. BRANT. I want to read you the United States Supreme Court decision in the Slochower case, which stated, quote:

At the outset we must condemn the practice of imputing a sinister meaning to the exercise of a person's constitutional right under the fifth amendment. The right of an accused person to refuse to testify, which had been in England merely a rule of evidence, was so important to our forefathers that they raised it to the dignity of a constitutional enactment, and it has been recognized as "one of the most valuable prerogatives of the citizen." * * * We have reaffirmed our faith in this principle recently in *Quinn v. United States*. In *Ullman v. United States*, decided last month, we scored the assumption that those who claim this privilege are either criminal or perjurers. The privilege against self-incrimination would be reduced to a hollow mockery if its exercise could be taken as equivalent either to a confession of guilt or a conclusive presumption of perjury. As we pointed out in *Ullman*, a witness may have a reasonable fear of prosecution and yet be innocent who otherwise might be ensnared by ambiguous circumstances.

End of quote from the Slochower case by the Supreme Court.

Mr. ARENS. I am glad you read that.

Do you have a reasonable fear of criminal prosecution if you tell this committee what you know about the Eisler case?

Mr. BRANT. I stand on the first and fifth amendments.

Mr. ARENS. I respectfully suggest, particularly in view of the status of this record, that the witness be ordered and directed to answer that outstanding question.

Mr. SCHERER. He has waived any right.

Mr. DOYLE. I direct you to answer the question asked by counsel.

Mr. BRANT. In view of the Supreme Court's decision and in view of the nature of this committee, I refuse to answer the question under the fifth amendment of the Constitution.

Mr. ARENS. I want to invite your attention to another leaflet: Civil Rights Congress Division, Mobilization for Democracy.

Why is Gerhart Eisler in jail?

Hear Mrs. Gerhart Eisler on "What's Behind the Eisler Case."

Of course, this attacks the Committee on Un-American Activities for the Red scare. Then it has a number of people who are going to orate on the subject, including one Carl Brant, president, Local 1421, UE-CIO.

Please look at that publication and see whether or not that accurately describes your participation in that session on behalf of Eisler who was in jail.

(Document marked "Exhibit No. 442," see appendix, p. 7866.)

Mr. BRANT. I refuse to answer the question for the reasons I have already given. And I stand on the first and fifth amendments.

Mr. ARENS. Just so the record is clear, I put it to you as a fact, sir, and ask you to deny or affirm the fact that you are at this minute a member of the international Communist conspiratorial apparatus designed to overthrow the Government of the United States by force and violence.

Mr. BRANT. That is a statement you are making?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. I have asked him to affirm or deny that fact.

Mr. BRANT. I refuse to answer that question under the first and fifth amendments of the Constitution for the reasons I have already given.

Mr. DOYLE. As chairman of the subcommittee, I am directing you to answer that question.

Mr. BRANT. I refuse to answer that question on the same grounds I have already given, on the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that concludes the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Velde?

Mr. VELDE. I have no questions, but I would like to make an observation.

And I refer to the statement of Mr. Wereb concerning the witness here and his violent intentions to destroy the Constitution of the United States of America. I do believe that he should be watched by all of our intelligence agencies protecting the internal security of this country.

Mr. BRANT. Mr. Chairman, would you let me——

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. BRANT. Would you let me say something about this committee?

Mr. DOYLE. I have one just before you leave the witness chair.

You referred to the Supreme Court case in *Quinn v. United States of America*. You didn't read this paragraph, however, in that decision. I have the full decision here, if you will listen to me.

Mr. BRANT. I will be glad to.

Mr. DOYLE. I think it is important that you hear what I am reading because you only read one paragraph from that decision. I have the full decision here, and I read on page 5 of that decision, in *Quinn v. U. S.*, quote:

There can be no doubt as to the power of Congress, by itself or through its committees, to investigate matters and conditions relating to contemplated legislation. This power, deeply rooted in American and English institutions, is indeed coextensive with the power to legislate.

(The witness confers with his counsel.)

Mr. DOYLE. Are you listening?

Mr. BRANT. Yes, sir.

Mr. DOYLE (continuing) :

Without the power to investigate—including, of course, the authority to compel testimony either through its own processes or through judicial trial—Congress could be seriously handicapped in its efforts to exercise its constitutional function wisely and effectively.

End of quote.

Mr. BRANT. Would you mind letting me have that document and read from it what you left out, sir?

Mr. SCHERER. I move the witness be excused.

Mr. DOYLE. The witness is excused.

Mr. PORTER. Did you speak to me?

Mr. DOYLE. No.

Mr. ARENS. Do you want to take another witness, Mr. Chairman, at this time?

Mr. DOYLE. Can you handle one more in a short time?

Mr. ARENS. I think we can handle 1 in 15 minutes.

Mr. DOYLE. Call your next witness.

Mr. ARENS. Mr. John Uhrin, U-h-r-i-n. Please come forward.

Mr. DOYLE. Will you raise your right hand.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. UHRIN. I do.

Mr. DOYLE. Take the witness chair, please.

TESTIMONY OF JOHN UHRIN, ACCOMPANIED BY COUNSEL, JOHN W. PORTER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. UHRIN. John Uhrin, U-h-r-i-n, 737 Crenshaw Boulevard; retired.

Mr. ARENS. You are appearing today, Mr. Uhrin, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. UHRIN. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. UHRIN. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. PORTER. John W. Porter, Los Angeles.

Mr. ARENS. Mr. Uhrin, where were you born?

Mr. PORTER. Wait until all the floodlights are turned off.

Mr. ARENS. The sole and exclusive prerogative of counsel is to advise his witness with respect to his constitutional rights.

Would you kindly tell us where you were born?

Mr. PORTER. I am advising the witness not to answer any questions while the photographing is going on.

Mr. DOYLE. Will the cameramen please hasten. We don't want to interfere with the freedom of the press.

Mr. ARENS. Now would you kindly tell the committee where you were born?

Mr. UHRIN. I was born in Hungary.

Mr. ARENS. When?

Mr. UHRIN. 1881.

Mr. ARENS. And are you a citizen of the United States?

Mr. UHRIN. Yes, sir; I am.

Mr. ARENS. By derivation or by naturalization?

Mr. UHRIN. By naturalization.

Mr. ARENS. When were you naturalized?

Mr. UHRIN. 1928.

Mr. ARENS. At the time you were naturalized as a citizen of the United States, did you take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic?

Mr. UHRIN. I did.

Mr. ARENS. At that time were you a member of the Communist Party?

(The witness confers with his counsel.)

Mr. UHRIN. I refuse to answer on the grounds of first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you were a member of the Communist Party at the time you took an oath to support and defend the Constitution of the United States you would be supplying information which might be used against you in a criminal proceeding?

Mr. UHRIN. I decline to answer on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I instruct you to answer it. We are not satisfied with your answer as sufficient grounds.

(The witness confers with his counsel.)

Mr. UHRIN. The Constitution provides for the first and fifth amendments, and I stand on the same grounds.

Mr. ARENS. Now do you know a man by the name of Stephen Wereb, W-e-r-e-b? Stephen A. Wereb.

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. Mr. Wereb, would you please stand?

(The witness, Wereb, arose.)

Mr. ARENS. Would you kindly look around, Mr. Uhrin, at Mr. Wereb. Look him in the face so there will be no faceless-informer proceedings?

Mr. UHRIN. I don't care to honor Mr. Wereb to look at him.

Mr. ARENS. Why? Do you think he is unreliable? Is he unreliable?

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. Is he untruthful?

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. Did he lie when he laid his liberty on the line before the committee and said he knew you as a member of the Communist Party?

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. Thank you, Mr. Wereb.

Do you know your counsel in any capacity other than in the capacity of attorney and client?

Mr. UHRIN. I know him as an attorney.

Mr. ARENS. Is that the only manner in which you know him?

Did you ever serve with him in the Communist Party?

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. Mr. Wheeler is going to lay before you a letter to the editor of the Daily People's World, signed by John Uhrin, U-h-r-i-n, with respect to certain actions taken by the administrative board of the Los Angeles Committee for Protection of Foreign Born under date of July 14, 1955.

Kindly look at that document and tell this committee whether or not that is a true and correct reproduction of a letter which you sent to the Communist Daily People's World.

(Document marked "Exhibit No. 443," see appendix, p. 7867.)

(The witness examines document.)

Mr. UHRIN. I refuse to answer on the same grounds.

Mr. ARENS. You wouldn't be ashamed of any activity you took for the uplift of humanity and for the rights of foreign born, would you, unless there would be some conspiratorial nature to the operation?

Mr. UHRIN. The Constitution provides for the protection of every citizen not to answer questions under the first and fifth amendments.

Mr. ARENS. Mr. Wheeler is going to lay before you a photostatic copy of the Communist Daily People's World of March 22, 1955:

PROTEST AGAINST UNITED STATES BORDER TERROR MAY GO TO U. N.

Outright repeal of the Walter-McCarran immigration and naturalization law was demanded by 350 delegates to last week-end's fifth annual conference of the Los Angeles Committee for Protection of Foreign Born.

It lists a number of people who are active in this organization and in this movement, including a nationality leader by the name of John Uhrin, U-h-r-i-n. John Uhrin.

Please look at that document and tell this committee whether or not you are accurately described in that document.

(Document marked "Exhibit No. 444," see appendix, pp. 7867, 7868.)

(The witness examines document.)

Mr. UHRIN. I decline to answer on the same grounds.

Mr. ARENS. Now I have a photostatic copy of a delegate's registration card which has come into the custody of the Committee on Un-American Activities, of the Fifth Annual Southern California Conference—

Mr. Chairman, may we have order.

Mr. PORTER. Yes; it is very disturbing to hear Mr. Doyle and Mr. Scherer talking.

Mr. ARENS. Mr. Chairman, I respectfully suggest counsel be advised his sole and exclusive prerogatives are to advise his witness.

Mr. PORTER. It is impossible to concentrate with this buzzing going on over here.

Mr. DOYLE. Try a little harder. Thank you very much.

Mr. ARENS. We lay before you a photostatic copy of a registration card: Fifth Annual Southern California Conference to Protect the Rights of Foreign Born [Americans], Saturday, March 19, 1955, Alexandria Hotel, Los Angeles, bearing the name John Uhrin, U-h-r-i-n, 737 Crenshaw Boulevard. And the organization that John Uhrin represents here is the Hungarian Workmens Home Society.

Please look at that card and tell this committee whether or not that is a true and accurate description of your participation and if that is your name on the card.

(Document marked "Exhibit No. 445," see appendix p. 7869.)

Mr. UHRIN. I decline to answer on the same grounds.

Mr. ARENS. When did you come to the United States from Hungary?

(The witness confers with his counsel.)

Mr. UHRIN. I decline to answer that question.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I am not satisfied with that answer as sufficient. I direct you to answer that question. The United States Government is entitled to know when you came to the United States.

(The witness confers with his counsel.)

Mr. SCHERER. If he doesn't answer that question, Mr. Chairman, I am convinced that he is in contempt of this committee.

How could it possibly incriminate you to tell us when you came to the United States?

Mr. UHRIN. I decline to answer this question on the grounds of the first and fifth amendments.

Mr. SCHERER. Are you a naturalized citizen?

Mr. UHRIN. Yes.

Mr. SCHERER. When and where were you naturalized?

Mr. UHRIN. In Los Angeles in 1928.

Mr. SCHERER. How long had you been in this country before you were naturalized?

(The witness confers with his counsel.)

Mr. UHRIN. I decline to answer on the grounds of the first and fifth amendments.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DOYLE. I direct you to answer that question.

Mr. SCHERER. You were born in Hungary, and have been active in Hungarian activities?

Mr. PORTER. I think there was a direction to answer, and Mr. Scherer—

Mr. ARENS. I suggest counsel be advised that your sole and exclusive prerogative in this proceeding is to advise your client.

Mr. PORTER. I advise my client that he was not given an opportunity to respond to the direction to answer made by the chairman, Mr. Doyle.

Mr. DOYLE. You speak to him and not to us.

Mr. PORTER. I am addressing him.

Mr. DOYLE. Concentrate on him instead of on the committee.

Mr. SCHERER. May I suggest, Mr. Chairman, that we advise counsel that any further outburst places him in contempt of this committee.

He is violating the rules of this committee, and if he persists I am going to ask that counsel be cited for contempt.

(The witness confers with his counsel.)

Mr. DOYLE. You understand the last question?

Mr. UHRIN. Answering this question, I refuse to answer on the grounds of the first and fifth amendments.

(The witness confers with his counsel.)

Mr. UHRIN. I want to answer the question that was directed to me.
Mr. DOYLE. All right.

(The witness confers with his counsel.)

Mr. SCHERER. Now I have another question.

Mr. PORTER. Just a minute. He hasn't had an opportunity to answer.

Mr. UHRIN. And I answer the negative, standing on the grounds of the first and fifth amendments.

Mr. DOYLE. Very well.

Mr. SCHERER. You say you were born in Hungary. You have been active in the affairs of Hungarian immigrants who have come to this country, have you not?

(The witness confers with his counsel.)

Mr. UHRIN. I decline to answer on the same grounds previously stated.

Mr. SCHERER. I ask that you direct the witness to answer that question whether he has been active in the affairs of the——

Mr. DOYLE. I direct you to answer the question. How could that possibly incriminate you?

(The witness confers with his counsel.)

Mr. UHRIN. I decline to answer on the same grounds previously stated.

Mr. SCHERER. Witness, you are familiar with what happened in Hungary in the last couple of months; are you not? To your fellow countrymen?

(The witness confers with his counsel.)

Mr. UHRIN. I decline to answer on the first and fifth amendments.

Mr. SCHERER. I ask that you direct the witness to answer my question whether he is familiar with what happened in Hungary.

Mr. DOYLE. I direct you to answer the question.

(The witness confers with his counsel.)

Mr. UHRIN. I stand on my constitutional grounds.

Mr. SCHERER. Since the Russians have massacred your fellow Hungarians in the last few months, as has been reported in the press, have you continued to remain a member of the Communist Party?

Mr. UHRIN. I decline to answer on the same grounds previously stated.

Mr. SCHERER. Do you denounce the Russians and the Communists for their activities in Hungary?

Mr. UHRIN. I decline to answer on the same grounds.

Mr. SCHERER. Have you taken a public stand on that question?

Mr. UHRIN. I decline to answer on the same grounds.

Mr. DOYLE. Are you through, Mr. Scherer?

Mr. SCHERER. It is unbelievable.

Mr. DOYLE. Mr. Wheeler, may I ask you to present to the witness this book: Hungary's Fight For Freedom, a special report and pictures in Life magazine.

And I call your attention to page 70 thereof, headed "The Murder of a Country."

Massed Soviet forces returned to destroy the patriots and deport them to slavery and drive them into exile. And here's a number of pictures of slain Hungarians, slain by Communist bullets.

I will ask you to look at that book and those pictures and see if you recognize any of the locations where those people are lying murdered. (The witness examines document.)

Mr. UHRIN. Is this a congressional order? You want me to——

Mr. DOYLE. I am asking you if you recognize any of the locations in those pictures where you see Hungarian bodies lying in piles, killed by Soviet bullets, Communist bullets.

Do you happen to recognize any of the buildings or streets where those people are lying dead?

Mr. UHRIN. I decline to answer on the same grounds previously stated.

Mr. DOYLE. I thought maybe you could further verify those pictures from your personal knowledge of the geographical location.

Mr. SCHERER. This man isn't a Hungarian. He is a Communist.

Mr. DOYLE. Are there any other questions?

Mr. ARENS. I have one more question, Mr. Chairman.

Mr. Witness, Mr. Wheeler will lay before you now proceedings of the Fifth Annual Conference and of the Sixth Annual Conference to Repeal the Walter-McCarran Law and Defend Its Victims.

You will observe in each of these conferences you occupy a post of great responsibility. One is as chairman of a panel of the nationalities group, and the other a comparable position. You will observe also that in the fifth annual conference all the recipients and participants in the conference are urged to get a thousand prominent individuals within their communities to write to their Congressmen urging revision of the law, or to go into other organizations and urge other organizations and delegates to even visit State assemblymen and State senators, to write, to make speeches, and to raise \$25,000, all for the purpose of repealing certain provisions of the Walter-McCarran Immigration and Nationality Act.

Please look at those proceedings and see if you can verify for this committee of the Congress whether or not you are accurately described and whether or not those proceedings are accurately set forth.

(The witness examines documents.)

Mr. UHRIN. I decline to answer on the same grounds I previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Under what name were you naturalized in Los Angeles in 1928?

(The witness confers with his counsel.)

Mr. UHRIN. John, the same as I am known by now. Never had a different name.

Mr. DOYLE. You had no different name in Hungary either?

Mr. UHRIN. Never.

Mr. SCHERER. Mr. Chairman, I would like to ask permission to make a part of the record a news story from the front page of today's Los Angeles Evening Herald-Express. It is an extra edition. And it headlines "Red Tanks Mow Down Massed Hungarians. Many Die in New Terror at Budapest."

I would like to offer this in evidence, as I have said, and ask that it be made a part of the appendix.

Mr. DOYLE. It will be so received.

(Document marked "Exhibit No. 446," see appendix, p. 7870.)

Mr. SCHERER. Mr. Chairman, I have no questions. But I make this observation in view of this man's testimony, that the committee should refer this matter to the Department of Justice to determine whether or not denaturalization proceedings should be commenced, and, if denaturalized, he be sent back to Hungary.

Mr. DOYLE. The committee stands in recess until 2 o'clock this afternoon.

Mr. PORTER. Is the witness excused?

Mr. DOYLE. Yes, the witness is excused.

(Whereupon, at 12:15 p. m., a recess was taken until 2 p. m., this same day. Committee members present: Representatives Doyle, Velde, and Scherer.)

AFTERNOON SESSION—THURSDAY, DECEMBER 6, 1956

(The subcommittee was reconvened at 2:10 p. m., at the expiration of the recess. Committee members present: Representatives Doyle and Scherer.)

Mr. DOYLE. The committee will please come to order.

Remember the admonition of the United States marshal: no smoking in the room.

And again I want to express appreciation to all those who were here this morning who cooperated in keeping quiet and making it easy for the witnesses to testify and be heard. And we will expect the same cooperation this afternoon, of course.

The committee will be working rapidly this afternoon again, and we may work late tonight. We will appreciate no disturbance of any kind.

Mr. SCHERER. Mr. Chairman, before we proceed this afternoon, I want to make a statement that I intended to make at the opening of the hearings.

Congressman Donald L. Jackson, who represents a part of the Los Angeles area and who is a member of this committee, was originally scheduled, as you know, to be a member of this subcommittee. However, an assignment in Washington by the chairman of this committee prevents his attendance.

I wanted to make that statement for the record.

Mr. DOYLE. May the record also show a quorum of the subcommittee is present, Mr. Scherer and Chairman Doyle. Mr. Velde is temporarily absent.

Mr. ARENS. Mr. Charles Gladstone, kindly come forward.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GLADSTONE. I do.

**TESTIMONY OF CHARLES GLADSTONE, ACCOMPANIED BY COUNSEL,
JOHN W. PORTER**

Mr. GLADSTONE. May I ask the committee to please identify everyone around this table?

Mr. DOYLE. No. They have been identified already in these hearings. It is not necessary for you to know again. The committee is here.

You know our counsel is Mr. Arens, who will question you.

And the reporter, clearly, is in front of you. You recognize his function. Isn't that sufficient?

Mr. GLADSTONE. I specifically refer to the gentleman on the right.

Mr. DOYLE. He is a member of the staff.

Let's proceed and not take any more time unnecessarily.

Mr. GLADSTONE. May I ask for a copy of the rules so that I may be acquainted with what the rules are?

Mr. DOYLE. You certainly may. I am sure your counsel has had them for many months. Didn't you receive one?

Mr. GLADSTONE. No, I did not.

Mr. ARENS. Will you please identify yourself by name, residence, and occupation?

Mr. GLADSTONE. Charles Gladstone, 5256 Marymont Drive.

Mr. ARENS. In Los Angeles?

Mr. GLADSTONE. Right.

Mr. ARENS. Your occupation, please, sir.

Mr. GLADSTONE. At this time I would like to say that, in view of the setting that this committee hearing is held, I refuse to state my occupation on the grounds of the first and fifth amendments.

Mr. ARENS. What do you mean on the grounds of the first and fifth amendments?

Mr. GLADSTONE. On the grounds I refuse to be a witness against myself.

Mr. ARENS. In what kind of proceeding?

Mr. GLADSTONE. In this proceeding.

Mr. ARENS. Do you honestly feel if you told this committee your occupation you would be giving information that might be used against you in a criminal proceeding?

Mr. GLADSTONE. As I said, in view of the fact that the hearings, the way they are held, and the circus method they are held, in view of the fact I am here not on my own free will, and in view of the fact that the way these hearings have been held so far, it seems to me that I have to refuse this question because of whatever tyrannical or unconstitutional, or whichever proceedings may be instituted against me that I don't know, and for this reason I wish to invoke the first and fifth amendments.

(The witness confers with his counsel.)

Mr. SCHERER. In view of the witness' statement, Mr. Chairman, I ask that you direct the witness to answer the question because obviously that statement doesn't indicate a right to refuse to answer the question.

Mr. DOYLE. We cannot accept your answer as sufficient, and I instruct you to answer the question.

Mr. GLADSTONE. I refuse to answer on the same grounds that I stated before—first and fifth amendments.

Mr. ARENS. You are appearing here today, Mr. Gladstone, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. GLADSTONE. And, of course, as I developed the grounds that I stated before when I answered the question.

Mr. ARENS. Tell the committee, are you appearing today in response to a subpoena which was served upon you?

Mr. GLADSTONE. Evidently.

Mr. ARENS. You are represented by counsel?

Mr. GLADSTONE. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. PORTER. John W. Porter, Los Angeles.

Mr. ARENS. Mr. Gladstone, do you know a man by the name of Stephen Wereb?

Mr. GLADSTONE. As I stated before, I refuse to answer that question on the same grounds that I previously stated, as I developed the first and fifth amendments.

Mr. ARENS. Mr. Wereb took an oath this morning and laid his liberty on the line. If he lied to this committee he could be subject to prosecution for perjury. He swore that while he was in the Communist conspiracy as an undercover agent for the Federal Bureau of Investigation he knew you as a Communist.

Was he lying or was he telling the truth?

Mr. GLADSTONE. I must refuse to answer the same question as I did before on the same grounds.

Mr. DOYLE. May I make it clear to the witness, when you say you must decline, as far as this committee is concerned we don't think you must decline. It is your constitutional privilege to do it if you give constitutional reasons.

When you say you must decline I want to make it clear to you that the committee doesn't recognize that as a valid ground.

You may decline if you give your constitutional reasons, which we recognize, of course.

(The witness confers with his counsel.)

Mr. GLADSTONE. Mr. Chairman?

Mr. DOYLE. Yes.

Mr. GLADSTONE. My conscience requires me to decline this answer.

Mr. DOYLE. We are glad you have a conscience.

Mr. GLADSTONE. I do on the grounds I previously stated.

Mr. ARENS. Now, Mr. Witness, do you, in a status or relationship other than in the status of attorney and client, know as a Communist a man by the name of John Porter?

Mr. PORTER. Mr. Chairman, I want the record to show that counsel for the witnesses subpoenaed before this committee today have submitted to the Chair a statement in writing objecting to the placing of any such question to the witnesses before this committee.

Mr. ARENS. Mr. Chairman, if Mr. Porter wants to testify before this committee I respectfully suggest he be administered an oath at the present time so we can ask him a few questions.

Mr. PORTER. As a matter of personal privilege, as a member of the bar appearing here as counsel for a witness who has a right to counsel, and the right to the choice of counsel without interference or attempt to intimidate on the part of this committee or its counsel, I demand

of the chairman a direction to the committee's counsel to withdraw that question and all similar questions in the future.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that counsel, if he wants to continue making his speech, subject himself to an oath before this committee so he can be interrogated.

The question was not any question with reference to a relationship between attorney and client. The question was solely and exclusively whether or not this witness knows a John Porter who is a member of the Communist conspiracy.

Mr. PORTER. Any such question is obviously unconstitutional and an illegitimate attempt to interfere with the right of the witness to have counsel of his own choice without comment, characterization or attempt on the part of anybody, including this committee, to intimidate him or to influence him in the choice of counsel.

Mr. ARENS. Will counsel kindly submit himself to an oath before the committee? He is not under subpoena. I respectfully suggest counsel do so.

Mr. PORTER. Counsel is here as counsel. He has a right to be here as counsel. He has a duty to perform as counsel, and I intend to discharge that duty.

Mr. ARENS. Under the rules of this committee, the only duty and privilege of counsel is to advise his client of his constitutional rights.

Mr. PORTER. I want to say, Mr. Chairman, if this question is not withdrawn I am going to advise the committee that, because my client cannot be given the full freedom of his right to counsel under these circumstances, that I shall ask to withdraw as counsel for this witness at this time.

Mr. ARENS. There has been no suggestion at all. He can hire every Communist lawyer he wants to.

Mr. PORTER. I shall ask the chairman to excuse the witness from the witness stand until he has an opportunity to secure other counsel who will not be so interfered with.

Mr. SCHERER. I move the witness be directed to answer the question.

Mr. DOYLE. May I say to the marshal: Anyone from here on that is observed making a demonstration either of approval or disapproval, without further direction from me, will be immediately removed from the room.

(The witness confers with his counsel.)

Mr. A. L. WIRIN. May I address the Chair?

Mr. DOYLE. No; you may not. You are not a part of this proceeding.

Mr. WIRIN. On the memorandum submitted to you, may I be heard on that?

Mr. SCHERER. Mr. Doyle, I ask for the regular order. If these gentlemen persist I am going to ask that the marshal remove them bodily from the room. Either we are going to run these hearings or these gentlemen are.

Mr. WIRIN. May I offer my services to this witness, Mr. Chairman?

Mr. DOYLE. Please sit down and not try to inject yourself into this situation, Mr. Wirin.

Mr. SCHERER. I am tired of these Communist lawyers violating the—

Mr. GLADSTONE. I wish to be excused at this present time. And I wish to secure counsel that will not be interfered with.

Mr. DOYLE. Your counsel is not being interfered with in my judgment. And you are instructed to answer the last question.

Mr. GLADSTONE. I am sorry, Mr. Chairman. Obviously the question that was placed before me is the kind of a question that prevents me from—

Mr. DOYLE. How do you answer that question? How do you answer it?

Mr. GLADSTONE. I cannot answer this question at the present moment. I would like to have counsel to be able to consult with and obviously this committee is not giving me that kind of a chance.

Mr. DOYLE. What is the last question, please?

Mr. ARENS. The outstanding question, Mr. Chairman, is whether or not this witness knows a Communist by the name of John Porter. And I preface the question by excluding from any knowledge upon which he could base an answer any relationship of attorney and client.

Mr. DOYLE. What is your answer to the question?

Mr. GLADSTONE. I wish to read from the rules of this committee, on page 3. I think it is article VII:

Advice of counsel:

At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

I am not given a chance to consult with my counsel.

Mr. DOYLE. Yes, you consulted with your attorney before you came here, and you have consulted throughout these hearings. As a matter of fact, you are consulting right now with him, which is right.

(The witness confers with his counsel.)

Mr. DOYLE. You have had the privilege of selecting counsel. We will proceed with the hearing. You are instructed to answer the question.

Mr. GLADSTONE. But I am not given a chance to consult with my counsel.

Mr. DOYLE. Go right ahead and consult with him. You are sitting within 1 foot of him.

(The witness confers with his counsel.)

Mr. GLADSTONE. Mr. Chairman, this question is interference with my free choice of counsel, and obviously I don't see how I can answer that kind of a question.

Mr. DOYLE. It hasn't interfered with your free choice of counsel because you chose him and brought him to the hearing room with you. Now proceed and answer the question. Don't stall any longer, please.

(The witness confers with his counsel.)

Mr. GLADSTONE. I refuse to answer that question on the same grounds I previously stated.

Mr. SCHERER. Let's get to the next question.

Mr. ARENS. Mr. Witness, there is being displayed to you by Mr. Wheeler a photostatic reproduction of a letterhead of the Los Angeles Committee for Protection of Foreign Born for the year 1954.

Please look at that exhibit on which your name appears as a sponsor of the Los Angeles Committee for Protection of Foreign Born

and tell this committee whether or not you are accurately identified in that status with that organization.

(See exhibit No. 433, appendix, p. 7858.)

(The witness examines documents.)

Mr. ARENS. Would you please answer the question.

Mr. GLADSTONE. I refuse to answer this question on the grounds I have previously stated, as I developed the first and fifth amendments.

Mr. ARENS. Mr. Wheeler is going to lay before you excerpts from the proceedings of the Southern California Conference To Defend the Rights of Foreign Born Americans, February 7, 1953, held by the Los Angeles Committee for Protection of Foreign Born. The document contains a list of sponsors, and I observe your name—Charles Gladstone—listed as one of the sponsors and also as a member of two committees.

Kindly look at that document and tell this committee whether or not you are accurately described there.

(Document marked "Exhibit No. 447," see appendix, pp. 7870, 7871.)

(The witness examines document.)

Mr. ARENS. Would you kindly answer the question?

Mr. GLADSTONE. I refuse to answer this question on the same grounds I previously stated.

Mr. ARENS. You have been active in other affairs, have you not?

I see in the Communist Daily Worker of September 1948: 1100 Unionists Hit Indictment of Communists.

This article tells about a number of people who are protesting the indictment of the 12 Communist traitors, including a person identified as Mr. Charles Gladstone, business agent, ILGWU, Local 65.

Look at that, please, as Mr. Wheeler displays it to you, and tell the committee whether or not that is an accurate presentation of the facts.

(Document marked "Exhibit No. 448," see appendix, p. 7872.)

(The witness examines document and confers with his counsel.)

Mr. GLADSTONE. I refuse to answer this question on the same grounds I previously stated.

Mr. ARENS. Now I have here a publication. This is a publication of the Peoples Educational Center back in 1947, in which a number of people are listed on the board of directors of this Peoples Educational Center in Hollywood. And a number of people are listed as the professors.

Among those professors who are going to appear at this educational school is a Charles Gladstone who is to speak on certain phases of labor activity in the United States.

Kindly look at this document and see if it was really accurate.

(Document marked "Exhibit No. 449a, b," see appendix, pp. 7873, 7874.)

(The witness examines document.)

Mr. ARENS. And while he is looking at that, Mr. Wheeler, will you please hand him the announcement of the fall term of this Communist People's Educational Center, in which you are again listed as one of the professors to speak on principles of trade unionism, a practical approach to certain strategies of trade unionism.

(The witness confers with his counsel.)

Mr. ARENS. Please look at that document, too.

(Document marked "Exhibit No. 450a, b," see appendix, pp. 7875, 7876.)

(The witness examines document.)

Mr. GLADSTONE. You seem to be obviously very familiar with stool-pigeon tactics and documents. I am not.

Mr. ARENS. Is that a stool-pigeon document?

Mr. GLADSTONE. I don't know.

Mr. ARENS. Is it truthful?

Mr. GLADSTONE. Let me finish.

Mr. ARENS. Surely. Go right ahead.

Mr. GLADSTONE. I am not in accord with the same position that the counsel is taking. But, however, I wish to decline to answer that question on the grounds I previously stated.

Mr. ARENS. Where were you born?

Mr. GLADSTONE. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. PORTER. I suggest that counsel wait until the witness can finish his answer before he asks another question.

Mr. ARENS. Your sole and exclusive prerogative, at least in this hearing, is to advise your client with respect to his constitutional rights.

Mr. DOYLE. Mr. Gladstone, we can't accept that answer as sufficient, and I instruct you to answer the question, where were you born?

Nothing can incriminate you because you were born, can it?

(The witness confers with his counsel.)

Mr. GLADSTONE. I answer that on the same grounds I previously stated.

Mr. DOYLE. You understood I am directing you to answer notwithstanding?

Mr. GLADSTONE. Mr. Chairman, I stand on my position as I stated before, and I do not wish to discuss it.

Mr. DOYLE. Were you born in the United States?

Mr. GLADSTONE. I refuse to answer that.

Mr. DOYLE. Are you naturalized?

Mr. GLADSTONE. On the same ground.

Mr. DOYLE. Are you a naturalized citizen?

Mr. GLADSTONE. I refuse to answer on the same grounds.

Mr. DOYLE. I instruct you to answer the question whether or not you are a naturalized citizen.

Mr. GLADSTONE. I believe under the Constitution I have a right to be silent just as much as I have a right to free speech.

Mr. DOYLE. In other words, you think if you answer that——

Mr. GLADSTONE. And I am including in it my right to the fifth amendment and to all the amendments of the Constitution.

I believe that this committee is taking unto itself rights that have not been granted to it according to the 9th and 10th amendments of the Constitution.

Mr. DOYLE. In other words, let me clearly understand you.

Do I understand you to take the position that if you answered the question as to whether you were born in the United States or are a naturalized American citizen it might incriminate you?

Mr. GLADSTONE. I refuse to answer that question on the grounds I stated before.

Mr. DOYLE. I again am instructing you to answer that question.

Mr. GLADSTONE. And again I am refusing to answer on the same grounds because—

Mr. SCHERER. It is obvious to me, Mr. Chairman, the witness is clearly in contempt if he doesn't answer that question.

Mr. DOYLE. Certainly he is.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. Did you ever use any name other than Gladstone?

Mr. GLADSTONE. I refuse to answer that question on the same grounds I previously stated.

Mr. DOYLE. I direct you to answer the question.

Mr. GLADSTONE. I stand on the same grounds as I did before.

Mr. ARENS. Do you know Charles Young?

Mr. GLADSTONE. I refuse to answer that question.

Mr. ARENS. Why, you used the name of Charles Young in the Communist conspiracy, didn't you?

Mr. GLADSTONE. I refuse to answer that question.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are right now a Communist and a member of the Communist conspiratorial apparatus.

Mr. GLADSTONE. I refuse to answer it on the same grounds I previously stated.

Mr. SCHERER. Mr. Counsel, does the record show where this witness was born?

Mr. ARENS. No, sir. We do not have that information.

Mr. SCHERER. We certainly have the right then to ask it.

Mr. ARENS. I think there is no question but what the Congressman is eminently correct on that.

Mr. DOYLE. I suggest that we take steps to find out where he was born.

Mr. SCHERER. I am going to move that he be cited for contempt.

Mr. DOYLE. I will back you in it.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

Mr. DOYLE. That is all, Witness.

Mr. ARENS. I beg your pardon, Mr. Chairman. We do have a notation he was born in Russia.

Mr. SCHERER. Then obviously his name is not Gladstone.

Mr. ARENS. Mr. Chairman, the next witness, if you please, is Mr. Frank J. Whitley.

Mr. DOYLE. May I recall the witness, please.

Mr. PORTER, may I recall your witness, please, and you, for one question. He is right there in front of you.

Mr. PORTER. I understood he was excused, Mr. Doyle.

Mr. DOYLE. Yes; you are quite correct.

You stayed in the hearing room, and so did he. And it is not a matter of great inconvenience for you to step up here a few feet while I ask the witness one more question.

Is it too inconvenient?

Mr. PORTER. It is not a question of inconvenience. It is a question of this committee arrogating to itself authority which it does not possess.

Mr. GLADSTONE. The questions are improper.

Mr. DOYLE. I hope it is not improper for me to ask you to come back a few feet and answer one more question.

If you were in a hurry to go out, you didn't leave the room.

Now, Mr. Young or Mr. Gladstone, whichever your name is, our information is that you were born in Russia. Is that true or false?

Mr. GLADSTONE. I answered that question before, and I stand on the same question, the same way I answered it before.

Mr. DOYLE. I direct you to answer the question.

Mr. GLADSTONE. On the same grounds. I refuse to answer it on the same grounds.

Mr. DOYLE. Assuming our information is correct and that you were born in Russia, are you a naturalized American citizen?

Mr. GLADSTONE. I said before that I refuse to answer that question on the grounds that I previously stated.

Mr. DOYLE. I direct you to answer that question.

Mr. GLADSTONE. I still refuse on the same grounds.

Mr. DOYLE. Very well. Thank you.

Mr. SCHERER. Mr. Chairman?

Mr. DOYLE. Mr. Scherer.

Mr. SCHERER. Mr. Chairman, I move that this subcommittee recommend to the full committee that the testimony of this witness be referred to the Department of Justice to determine whether or not denaturalization proceedings should not be commenced against this individual.

Mr. DOYLE. Have the record show that motion. And when the full committee is in session a recommendation will be made.

Thank you, Mr. Porter and Mr. —

Mr. PORTER. Is the witness now excused, Mr. Doyle?

Mr. DOYLE. Yes, Mr. Porter.

Mr. ARENS. Frank J. Whitley, kindly come forward.

Mr. DOYLE. Raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHITLEY. I do.

TESTIMONY OF FRANK J. WHITLEY, ACCOMPANIED BY COUNSEL, EDWARD C. MADDOX

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. WHITLEY. Frank J. Whitley, Los Angeles. My business is real-estate broker.

Mr. ARENS. Where?

Mr. WHITLEY. Here in Los Angeles.

Mr. ARENS. The name of the firm, please, sir?

Mr. WHITLEY. Rising Sun.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. WHITLEY. I didn't understand that.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. WHITLEY. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. WHITLEY. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. MADDOX. My name is Edward C. Maddox.

Mr. WHITLEY. Mr. Chairman, may I make a statement now to save time, in the interest of saving time?

Mr. DOYLE. Let's wait until you are asked a question, Mr. Maddox.

Mr. ARENS. Do you know a man by the name of Stephen Wereb, W-e-r-e-b?

Mr. WHITLEY. I refuse to answer that question on the grounds of the fifth amendment, first and fifth amendments.

Mr. ARENS. Mr. Wereb this morning took an oath before this committee and said that while he was underground in the Communist Party at the behest of the Federal Bureau of Investigation he knew you as a Communist. Was he lying or was he telling the truth?

Mr. WHITLEY. I refuse to answer that question.

I would like to make a statement here, too—why I refuse to answer.

Mr. DOYLE. If it is brief and based upon your constitutional privilege, go ahead.

Mr. WHITLEY. In the interest of saving time here.

My people have been persecuted and oppressed and mistreated for a long time by such organizations as the White Citizens Council and—

Mr. DOYLE. Mr. Whitley—

Mr. WHITLEY. And KKK.

Mr. DOYLE. We can't permit this to be a forum for any racial problems to be brought up.

So proceed, Mr. Arens, with the next question.

Mr. ARENS. Now, Mr. Whitley, Mr. Wheeler is going to display to you a signature card on the Fifth Annual Southern California Conference to Protect the Rights of Foreign-Born Americans, held Saturday, March 19, 1955, at the Alexandria Hotel, Los Angeles, signed Frank J. Whitley.

Please look at this signature card. And, according to the card, Frank J. Whitley represented the Negro Labor Council.

Please look at that signature card as Mr. Wheeler displays it to you. (Document marked "Exhibit No. 451," see appendix, p. 7877.)

Mr. WHITLEY. Did you say protect the rights of foreign-born citizens?

Mr. ARENS. I beg your pardon?

Mr. WHITLEY. Did you say to protect the rights of foreign-born citizens?

Mr. ARENS. That is right; yes, sir. Look at that card and tell us if you were interested in or attended that congress.

Mr. WHITLEY. I am only interested in protecting the rights of the American Negro in the South and Mississippi and Georgia and here. I have lived many a year, and this has been one of the greatest failures of the Congress. And this committee is an un-American committee, supposed to be. And the un-American things going on right now is the lynching of my people and driving them from schools.

Mr. ARENS. Are you concerned with discrimination by the Communist conspiracy against the rights of individuals?

Mr. WHITLEY. I am talking about the Negro being mistreated and of this Congress, if this thing is for the purpose of un-American activities. That is what I am interested in.

Mr. DOYLE. Mr. Whitley, please look at the exhibit and answer the question asked you by counsel.

Mr. WHITLEY. You mean this?

Mr. DOYLE. Yes.

Mr. ARENS. Yes. Tell us whether or not that is your signature.

(The witness examines document and confers with his counsel.)

Mr. ARENS. Would you kindly answer the question.

Mr. WHITLEY. You expect me to answer questions of this kind, do you?

Mr. ARENS. We only want you to tell us whether or not that is your signature.

Mr. WHITLEY. I refuse on the grounds that you are invading my rights.

Mr. ARENS. No, we are not invading anyone's rights.

Mr. WHITLEY. On the basis of the fifth amendment to the Constitution.

Mr. ARENS. If you feel the answer to these questions, if truthfully given, would give information which could be used against you in a criminal proceeding, you have a right to invoke the fifth amendment.

Do you honestly feel that an answer to this question, the last principal question, if truthfully given, would give information which might be used against you in a criminal proceeding?

Mr. WHITLEY. I think if this group was interested in un-American activities they would be in Mississippi right now.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer.

Mr. WHITLEY. I just answered it. I said on the basis of the fifth amendment, I refuse to answer. What else can I say?

Mr. ARENS. We want to show you the proceedings of this conference.

Mr. WHITLEY. Go ahead.

Mr. ARENS. The proceedings said one Whitley got up and made a speech—I will not read all the language here—made a speech urging the people to go into the churches for the cause of the Southern California Conference and its advocates.

Glance at that résumé there and see if that is a true and accurate presentation of your participation in that conference.

Would you just tell the committee? You certainly wouldn't be ashamed of anything you did for the uplift of humanity and for civil rights and for the foreign born, would you?

Mr. WHITLEY. Did you say ashamed?

Mr. ARENS. Yes. You wouldn't be ashamed of that, would you?

Mr. WHITLEY. You are the one that should be ashamed being here today. Speaking of being ashamed, I'm not ashamed. I was born here.

Mr. ARENS. If you are not ashamed, why don't you tell us?

Mr. WHITLEY. Both of my parents were slaves here in America, and I have been persecuted ever since the day of my birth.

And this committee or no other committee has taken up my cause.

Mr. ARENS. Are you concerned about the slave labor behind the Iron Curtain? Have you been worried about that? Twenty million slave laborers behind the Iron Curtain? Were you worried about that?

Mr. WHITLEY. Are you worried about the keeping the kids out of school in Mississippi and Tennessee?

Mr. ARENS. Just answer the question.

Mr. WHITLEY. What is your question?

Mr. ARENS. The outstanding question is: Did you address the conference in the terms set forth?

Mr. WHITLEY. On the basis of the first and fifth amendments, I refuse to answer that.

Mr. ARENS. Are you now, right now, a member of the Communist conspiracy?

Mr. WHITLEY. On the basis of the first and fifth amendments, I refuse to answer. And, otherwise, I think it is none of your business or anyone else's business what party or club or anything else I belong to. The Constitution of the United States is what I am talking about.

Mr. ARENS. Do you think it is a legitimate concern of the Congress of the United States to investigate and explore subversion forces that are working to destroy the Government of the United States under an alien control, a conspiracy? Do you think that is any concern of the Government?

Mr. WHITLEY. When I see the Congress of the United States protecting its citizens, then I am all for it. But when I see them further oppressing me, then I am against it.

And I am not answering any questions according to my affiliation or what I belong to or anything like that, on the basis of the first and fifth amendments to the United States Constitution.

Mr. ARENS. And are you a member of an organization that is dedicated to the destruction of the Constitution of the United States?

Mr. WHITLEY. You ought to be ashamed to ask that kind of question to me.

Mr. ARENS. If it isn't so why don't you stand up like a patriotic American while you are under oath and deny it?

Mr. WHITLEY. I can stand up.

Mr. ARENS. All right. Stand up then while you are under oath and deny you are now a member of the Communist conspiracy.

Mr. WHITLEY. That is none of your business what organization, political party or church that I belong to.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. You are directed to answer.

Mr. WHITLEY. On the basis of the first and fifth amendments of the United States Constitution, I refuse to answer.

Mr. DOYLE. That is right. So the United States Government is protecting you and your constitutional rights.

Mr. WHITLEY. They are killing me and my people all over this country, and you know it. And you know it.

Mr. SCHERER. What? They are killing you and all your people?

Mr. WHITLEY. What about Emmett Till? What about Mr. Moore in Florida a few years ago? And I don't have to go that far. I can start right in Los Angeles. The same thing is happening.

Mr. DOYLE. You don't charge the United States Government with killing?

Mr. WHITLEY. For doing nothing about it. That is why I charge them.

Mr. DOYLE. But I deny your statement, sir. The United States Government has done everything it could in the Till case to discover—it ascertained there was no transporting across State lines.

Mr. WHITLEY. Yes. It's been 90 years since Abraham Lincoln signed the Emancipation Proclamation. They are begging to go to school in Texas even, right here by us. What are you doing? You are searching for some subversion you talk about.

Mr. ARENS. Is there some subversion you know about? Is there a conspirational apparatus that you know about?

Mr. WHITLEY. In Mississippi. That is subversion.

Mr. ARENS. Tell us whether or not there is subversion you know about. Is there a Communist conspiracy that you are part and parcel of?

Mr. WHITLEY. The Communist conspiracy that you know about is what I am talking about.

Mr. ARENS. That is what I am talking about. Are you a member of that conspiracy?

Mr. WHITLEY. Are you a member of that conspiracy?

Mr. ARENS. No, and I wouldn't hesitate to stand up under oath and deny it.

Mr. WHITLEY. As a Negro, you ought to be ashamed to ask me to talk about anything.

Mr. ARENS. Just tell us, are you a Communist?

Mr. WHITLEY. I refuse to answer any of your questions on my affiliations, on the basis of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. The witness is excused.

Mr. ARENS. Sanford Goldner, please come forward.

Mr. DOYLE. Mr. Marshal, if you know who made that applause, please eject them from the room.

You are here as guests of the committee. If you can't respect the courtesy we are extending to you, I ask you to leave the room.

Marshal please eject the next person you see make any applause or disapproval. We want neither.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GOLDNER. I do.

TESTIMONY OF SANFORD GOLDNER, ACCOMPANIED BY COUNSEL, NATHAN L. SCHOICHET

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GOLDNER. My name is Sanford Goldner. My residence is 3209 Silverado Drive, Los Angeles. My training is as a teacher.

Mr. ARENS. Your occupation at the present time, please.

(The witness confers with his counsel.)

Mr. GOLDNER. Counselor, I feel that within the framework of this hearing that the answering of that question affirmatively or negatively would place me in jeopardy, and I therefore fall back on my privileges under the first and fifth amendments.

Mr. ARENS. What do you mean place you in jeopardy? Do you mean you would be giving information that could be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised by counsel, and I have reason to believe because of the setting up of this committee that the entire purpose of the committee is to involve me in jeopardy. And, therefore, I fall back within my rights under the first and fifth amendments.

Mr. ARENS. What kind of jeopardy are you talking about? Do you honestly feel that if you answered this question as to your employment you would be giving information that might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. GOLDNER. Mr. Counselor, I am advised by my counsel that the entire line of questioning is to place me in jeopardy, and therefore that I am not required to testify against myself.

Mr. ARENS. Mr. Chairman, I respectfully suggest—

Mr. GOLDNER. I should like to state, however, that, having given this legal reason and having been a spectator here this morning, I should like to offer one more reason for declining to place myself in jeopardy.

I sat here listening to the remarks of the chairman as to the purpose of the meeting. He declared at one point it was not the purpose of this committee to discuss the merits of legislation, and then went on to say that he would expose—the purpose was to expose those who wanted to strip certain laws of their provisions relating to certain administrative procedures and, he put it, the deportation of aliens who are Communist agents.

Now when I was first appraised that one of the subpoenas to one of the witnesses contained language urging her to bring leaflets and other documents designed to revise and repeal the Walter-McCarran and other acts, I could not believe it because here, for the first time, the committee has gone beyond association and ideas, to attempt to prevent people from influencing legislation.

The chairman disavowed this aim, and then went to repeat it today.

I think it is quite clear that great masses of Americans oppose the procedural aspects of the Walter-McCarran Act, their reference to due process of law, the reduction of foreign-born to second-class citizens. Even President Eisenhower has called for revisions of these provisions.

And I am forced to conclude, with the New York Times, that one of the fundamental purposes of this inquiry is to prevent the revision and repeal of the Walter-McCarran Act. And because—

Mr. DOYLE. Just a minute.

Mr. GOLDNER. Finally, if I may——

Mr. SCHOICHET. Let him finish.

Mr. GOLDNER. I am one sentence from my conclusion.

Mr. DOYLE. I have permitted you now to go far beyond your constitutional objections and to use this as your forum for your remarks. I think you will agree that you have had these few minutes to do that. I want to ask this question, if I may:

You volunteered the information that you have been a teacher. That certainly is your occupation. You volunteered that very clearly. The record will show. Then in the next question, when you were asked your present occupation, you claim the constitutional provisions.

Do I understand that when you were a teacher you were not afraid of incriminating yourself, but now in your present occupation, even though you volunteered your training, that you are declining to answer the question because you are in fear of incriminating yourself in your present occupation?

Is that what I understand your position to be?

(The witness confers with his counsel.)

Mr. GOLDNER. Well, I am advised by my counsel that, within my rights under the Constitution, I am privileged to state the grounds on which I answer certain questions and the way in which I answer them.

And I am advised by him to request you, if you will permit me, to finish the original statement that I had begun to make which explains my reasons for not answering.

Mr. ARENS. Pardon the interruption.

So we will know the source of the statement, tell us whether or not you are a Communist.

(The witness confers with his counsel.)

Mr. DOYLE. Let's proceed if you have had your counsel.

Mr. ARENS. Would you please answer the question?

Mr. DOYLE. Please proceed.

Mr. ARENS. Are you now a Communist? Let us get that issue settled first.

Are you now a Communist?

Mr. GOLDNER. Yes, my counsel advises me——

Mr. ARENS. You said "Yes"? Did I understand you to say "Yes"?

Mr. SCHOICHET. No, you didn't understand him.

Mr. DOYLE. He meant——

Mr. GOLDNER. Perhaps I should have said "however." That was a conjunction.

My counsel advises me that the whole setting of the hearing, which I have had a chance to bear out for myself, is the fact that Mr. Scherer sits by as lord high executioner——

Mr. DOYLE. Go ahead and answer the question. I have given you plenty of time to make it a forum for your speech, but I am not going to give you any more time.

Mr. GOLDNER. I want to explain the jeopardy I find myself in.

Mr. DOYLE. I understand. Go ahead and answer the question.

Mr. GOLDNER. The fact that those who are vulnerable because they are born across the seas are asked that question, and persons who are not vulnerable are not asked that question, all this thing conspires to make me feel I am in jeopardy.

On the basis of the first and fifth amendments, I decline to answer that question.

Mr. ARENS. Now for the record, if you please, sir, your counsel's name.

Counsel, will you kindly identify yourself?

Mr. SCHOICHT. Nathan L. Schoichet, S-c-h-o-i-c-h-e-t, attorney, Beverly Hills.

Mr. ARENS. Mr. Goldner, have you always used the name of Goldner, or do you use some other name?

(The witness confers with his counsel.)

Mr. GOLDNER. Well, sir, basically, within my legal rights—I shall fall back upon my legal rights, but I cannot refrain from commenting upon the fact that unless the question refers to my academic title, which I frequently use or is used by others, that there is an insinuation in the question—

Mr. ARENS. What is the academic title?

Mr. GOLDNER. The academic title is a matter of record.

Mr. ARENS. Tell us. What is the academic title?

Mr. GOLDNER. There aren't very many academic titles.

Mr. ARENS. Give us one of them.

Mr. GOLDNER. I trust in the imagination of the counsel.

Mr. ARENS. Let's don't trust to my imagination.

You told us about your academic title. Tell us what that is.

Mr. GOLDNER. I am a doctor of philosophy.

Mr. ARENS. And where did you acquire that degree of doctor of philosophy?

Mr. GOLDNER. Well, that is a matter of public record.

Mr. ARENS. Well, tell us. You couldn't be hurt too badly by telling us. Where did you acquire this degree of doctor of philosophy?

(The witness confers with his counsel.)

Mr. GOLDNER. At the University of California, in Berkeley.

Mr. ARENS. When was that?

(The witness confers with his counsel.)

Mr. GOLDNER. In 1941.

Mr. ARENS. Do you know a man by the name of Stephen Wereb?

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised by counsel that the answer to this question will put me in jeopardy, and I therefore fall back upon my rights under the first and fifth amendments.

I do also declare that it was a deterioration of American democracy to a low point when people are put in public and asked to identify their associations or their ideas. A low point that was reached.

Mr. ARENS. How about if they are asked to identify Communist traitors?

Mr. GOLDNER. A low point was reached 2 years ago, but fortunately it is receding with the courts catching up with the practices inherent in Mr. Wereb. Anything I can do to hasten that process I will be glad to do it.

Mr. SCHERER. Let's get the answer.

Mr. GOLDNER. I prefaced my answer, namely, to the effect I relied on the protections of the first and fifth amendments.

Mr. SCHERER. Did Wereb, when he testified about you lie?

(The witness confers with his counsel.)

Mr. GOLDNER. I decline to answer that on the basis of the fifth amendment.

Mr. ARENS. Doctor, after you got your doctor of philosophy degree did you put your education to use on behalf of the foreign born of the community?

(The witness confers with his counsel.)

Mr. GOLDNER. I am informed by my counsel that the purpose of the inquiry is to furnish testimony against myself, and that my rights within the Constitution, particularly under the fifth amendment, do not require me to do this.

Mr. ARENS. Now, Doctor, Mr. Wheeler is going to display to you a photostatic copy of a letterhead of the Los Angeles Committee for Protection of Foreign Born, and on this letterhead for the year 1954 you are listed as one of the sponsors.

Please look at that letterhead and tell this committee whether you are properly and accurately described, Doctor, as a sponsor of the Los Angeles Committee for Protection of Foreign Born.

(See exhibit No. 433, appendix, p. 7858.)

(The witness examines documents and confers with his counsel.)

Mr. GOLDNER. I decline to answer this question on the grounds previously stated, my rights within the first and fifth amendments of the Constitution.

Mr. ARENS. Now, Doctor, we have an excerpt or summary of one of your speeches on philosophy.

You said you were a Ph. D., doctor of philosophy.

It is an exhibit in which, at one of the panel sessions of the Conference for the Repeal of the Smith Act—that is the anti-Communist act against the traitors—and the McCarran—that is the Internal Security Act—you made a speech.

Mr. Wheeler, would you please show the Doctor the excerpts from his speech in which he is attacking the anti-Communist provisions of the Smith Act and the Internal Security Act, and see if that refreshes the Doctor's recollection with reference to his oration.

(The witness examines document and confers with his counsel.)

Mr. SCHERER. Where was that speech made, Counsel?

Mr. ARENS. It was held in Los Angeles, Mr. Scherer.

Mr. GOLDNER. Would you repeat the question.

Mr. ARENS. Yes.

Kindly look at that document and see if that refreshes your recollection with reference to your oration, Doctor, in which you roundly condemned the anti-Communist Smith Act and the Internal Security Act, and called for their repeal.

(The witness confers with his counsel.)

Mr. GOLDNER. I decline to answer the question on the same grounds, though I disagree with the phrasing of the question as submitted to me.

Mr. ARENS. You don't think the Internal Security Act and the Smith Act are anti-Communist legislation; is that correct, Doctor?

(The witness confers with his counsel.)

Mr. GOLDNER. On the grounds previously stated and because I feel that the circumstances don't permit discussion of questions on their merits—as a matter of fact, the chairman has said they are not to be

discussed on their merits, but simply for purposes of labeling—I decline to——

Mr. DOYLE. Just a minute. I didn't so state. The record will show what I stated. And you are not permitted to state things I didn't state. The record will show what I stated. I will stand on the record.

Mr. GOLDNER. Because this is not the occasion to discuss the merits of legislation, and, as a matter of fact, is set up solely to identify and label——

Mr. ARENS. To identify and label whom?

Mr. GOLDNER. Persons in positions rather than the merits——

Mr. ARENS. As what, Doctor? We are not labeling people as doctors. We are labeling those people who are identified by live witnesses under oath as members of the Communist conspiratorial apparatus, and you know it; isn't that true, Doctor?

(The witness confers with his counsel.)

Mr. GOLDNER. Yes; I am advised by counsel to note that the very method in which the questions are put—and, I may add, having participated in many discussions—with the very obvious difference between inquiry into the determination of truth and inquiry for the purpose of punitive action, that I have been placed in jeopardy by my mere presence and by the questions, and I therefore fall back upon my rights under the first and fifth amendments.

Mr. SCHERER. Doctor, when you made this speech attacking the internal-security laws of the United States, did the people whom you were addressing at that time know that you were a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GOLDNER. My counsel informs me that Mr. Scherer's question assumes facts not in evidence and he ought to know better than that.

Mr. SCHERER. Let me ask you then, Were you at the time you made this speech a member of the Communist Party?

(The witness confers with his counsel.)

Mr. ARENS. Of course, it is in evidence that he was a Communist. Wereb identified him.

Mr. SCHERER. His lawyer doesn't know that, though. He isn't familiar with the record. He should be if he is advising him.

Mr. SCHOICHER. Is this remark addressed to me, Mr. Chairman?

Mr. SCHERER. I ask, Mr. Chairman, that you instruct the witness to answer the question.

Mr. SCHOICHER. Find out what the question is.

Mr. GOLDNER. I think I remember the question. It is a repetition of the question.

I at that time did and do now state that I fall back on my constitutional privileges, and I can only assume that the repetition of a question already asked and answered within Mr. Scherer's presence is another effort to entrap me in some kind of legal proceeding, which I am relying on my attorney not to entrap me in.

Mr. SCHERER. You know, do you not, that Mr. Wereb identified you as a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GOLDNER. I have already answered this question.

Mr. SCHERER. You have not answered that question. It is a question of whether you had knowledge of the fact that Mr. Wereb identified you as a member of the Communist Party. To answer that question you can't possibly incriminate yourself.

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised to ask you whether you are acting as my counsel in this.

Mr. SCHERER. Now, Mr. Chairman, counsel—I am not trying to hear what he said, but he talks loudly, and counsel has been continuously violating the rules of this committee by not advising his client solely as to his constitutional rights, but he has been telling him everything to say.

That is a clear violation of the rules of this committee, and counsel, by so doing, has been in contempt of this committee.

Mr. SCHOICHER. May I respond to that, Mr. Chairman?

This is an outrageous procedure.

Mr. DOYLE. May I suggest, Counsel, that in your advice to your client do not talk so loudly because we all can hear you. And we haven't mentioned it before, but I too, have heard you tell him to state that he objects to the committee member harassing and so forth. I have heard you state that. And you can't deny that is what you have said, Counsel.

Mr. SCHOICHER. I am agreeable that you hear what I say.

Mr. DOYLE. I know. But I suggest that you be a little more quiet in your advice to your client.

We are glad any witness has counsel. But you haven't realized the close proximity in which we sit and that you have a voice that carries.

Mr. SCHOICHER. I realize it.

Mr. SCHERER. Let's not get away from my question.

Mr. DOYLE. That is right.

Mr. SCHERER. Were you present when Wereb testified?

(The witness confers with his counsel.)

Mr. GOLDNER. My attorney advises me to answer the question in this wise, that if your question refers to a person who was introduced this morning as Mr. Wereb and made certain statements, to respond that I was present in the room at the time those statements were made.

Mr. SCHERER. Did you hear him testify?

Mr. GOLDNER. I don't understand that.

(The witness confers with his counsel.)

Mr. GOLDNER. I thought my answer was implicit in the previous question.

Mr. SCHERER. I am not a doctor of philosophy; so you can answer it. I am just dumb.

Mr. GOLDNER. Well, I will reserve comment on that. The answer is that I heard him.

Mr. SCHERER. Did you hear him identify you as a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GOLDNER. My answer is that I heard him and that if there are any further questions as to the substance of this testimony that I decline to answer on the basis of my rights under the first and fifth amendments.

Mr. SCHERER. When you heard him under oath identify you as a member of the Communist Party was this man, whom you now so violently condemn, telling the truth?

You have an opportunity to tell us now whether he was telling the truth.

(The witness confers with his counsel.)

Mr. SCHERER. If you say he was lying, then I am going to ask that his testimony be referred to the Department of Justice for investigation to determine whether he was committing perjury. And, of course, yours along with it.

Mr. GOLDNER. Counsel requests me to ask you whether you have completed your question before I answer.

Mr. SCHERER. I will repeat my question.

When Wereb identified you under oath as a member of a Communist conspiracy was he telling the committee the truth?

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised to respond to the question that this inquiry seeks to have me furnish testimony against myself.

And I, therefore, decline to do this on the basis of my rights within the Constitution, particularly the fifth amendment.

Mr. SCHERER. Coming back then to my original question, when you made this speech attacking the internal security laws of the United States did the people who listened to you at that time know that you were a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GOLDNER. My counsel urges me to say that your question again assumes facts not in evidence, and that you ought to know better than that.

Mr. SCHERER. Mr. Chairman, I ask you direct the witness to answer my question.

Mr. DOYLE. I so direct you, Witness.

(The witness confers with his counsel.)

Mr. SCHERER. I might advise you that your counselor is grossly in error because the sworn testimony of Wereb, which is part of the evidence in this case, is that you were a member of the Communist Party. So it is in evidence. So my question is perfectly proper.

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised that I am being questioned concerning a document which has just now been introduced, and that to testify to it—

(The witness confers with his counsel.)

Mr. GOLDNER. And that I haven't testified to it. And, further, that to testify to it would put me in jeopardy, and I therefore rely upon my rights.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you to answer that question.

(The witness confers with his counsel.)

Mr. GOLDNER. Which question is that?

Mr. DOYLE. Would you please read the last question.

Mr. SCHERER. I will repeat it. The question is at the time you made this speech attacking the internal security laws of the United

States whether or not the people to whom you made the speech knew you were a member of the Communist conspiracy.

(The witness confers with his counsel.)

Mr. GOLDNER. If that is a valid question, I decline to answer it on the grounds of the fifth amendment.

Mr. SCHERER. Very well.

Mr. ARENS. We have a number of exhibits here. To save time I am going to ask Mr. Wheeler to display all of them to you. They are with reference to a number of conferences or rallies held in the Los Angeles area for the repeal of the Internal Security Act, the Immigration and Nationality Act, Communist Control Act, and comparable legislation. Each of these is a reproduction of the original proceedings of the various organizations with which you are affiliated.

We also submit to you a number of resolutions which were adopted by these conferences. And you will observe in these various documents reference to yourself as serving on the various committees.

Kindly look at those documents and tell us if you will be good enough to verify their authenticity, Doctor.

(Documents marked "Exhibit Nos. 452a, b, 453a, b, and 454," see appendix, pp. 7878-7884.)

(The witness examines documents and confers with his counsel.)

Mr. GOLDNER. Have you finished with the question?

Mr. ARENS. Yes, Doctor.

Observe your listing there as chairman of nationality panels and resolutions committees and the like at these various sessions here, Doctor. We would like to have you be good enough to verify the authenticity of them.

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised by my counsel that this is obviously an inquiry directed to entrap me, and I therefore fall back on my rights in the fifth amendment of the Constitution.

Mr. ARENS. Do you honestly apprehend, sir, that if you gave a truthful answer to that question while you were under oath you would be supplying information which might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. GOLDNER. Well, counsel points out, and I rely on his judgment, and therefore answer to the committee that the question, as to whether I honestly believe, impugns the honesty of my first answer. It is an insulting question. And if it is meant to raise more than legal points, namely, points of morality, that I therefore must respond as the previous witness responded, that the question of fear or shame is something that goes beyond this committee.

Mr. SCHERER. Have you finished?

Mr. GOLDNER. May I answer in my own way? I haven't talked too much.

I think in American history we have been ashamed of many things: Persecution of the follower of Thomas Jefferson who was put into prison for the exercise of democratic rights; Elijah Lovejoy and other abolitionists who were forcibly prevented from expressing their opinions concerning slavery. And I think in recent days we have been increasingly—

Mr. ARENS. Do you think any of that is quite as shameful as the operation of the Communist conspiracy in this country?

Mr. GOLDNER. I think recently we have become increasingly ashamed of such inquisitions, that the tide is going that way, that this hearing adds to the shame. And I therefore refuse to contribute to it. I fall back within my rights under the fifth amendment of the Constitution.

Mr. SCHERER. It adds to the shame, Doctor, that men with educations such as yours would remain in the Communist Party after the Russians did what they did in Hungary.

Mr. GOLDNER. Is that a question?

Mr. SCHERER. That is what is almost unbelievable to me.

Mr. DOYLE. Any further questions?

Mr. ARENS. No further questions of this witness.

Mr. SCHERER. That is the kind of shame I would worry about if I were you instead of saying this committee should be ashamed.

Mr. DOYLE. I wish to ask the doctor a couple of questions.

Apropos of the statement you started to make that I had made certain statements, here is the statement I made on the subject matter from my statement which I read this morning:

I would like to emphasize that these hearings are not intended to deal with the merit or lack of merit of any particular Federal law. We are not here to participate in legislative controversy.

Our sole purpose is to examine Communist activities directed against these Federal laws.

Bluntly speaking, it is subversion we are called upon to deal with today.

I am reading again, verbatim, from my statement.

(The witness confers with his counsel.)

Mr. DOYLE. Doctor, may I ask you a question, please? I won't interrupt you. Go ahead and confer with your counsel.

Mr. SCHUCHET. Go ahead.

Mr. DOYLE. I take it from the speech you made to that Committee for Protection of Foreign Born as related in this exhibit—and from your observations, that you are perfectly familiar with the Internal Security Act. Is that a fair assumption on my part?

(The witness confers with his counsel.)

Mr. DOYLE. I take it that you would not have said what you did say unless you were perfectly familiar with it. Is that a fair assumption?

Mr. GOLDNER. Have you finished your question?

Mr. DOYLE. I have finished my question.

(The witness confers with his counsel.)

Mr. GOLDNER. My counsel advises that I am not required in this hearing to comment on legislation. And I am not a lawyer. And that the chairman of the committee can assume whatever he is pleased to assume.

Mr. DOYLE. Well, I am going to assume certain things, then, with your express permission just given.

In the Internal Security Act, in view of your public attack on it, the very first declaration by the United States Congress in this act, reads:

There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed

necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

That is one of the sections of this particular act in which we are interested to ascertain the ways and means by which the Communist organization—and I am not assuming anything in that point as far as you are concerned, out of courtesy to you. But, for the purpose of this question because you are a doctor of philosophy, by your own testimony, do you object to that declaration by the United States Congress in the Internal Security Act?

Is that one of the sections of the anti-Communist portion of the bill to which you object?

(The witness confers with his counsel.)

Mr. GOLDNER. I am asked to inquire whether you have finished your question.

Mr. DOYLE. Manifestly. I remained silent for 2 or 3 seconds after that question.

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised that the question asked is a patent attempt to trap me and to put myself in jeopardy, and therefore I shall fall back within my rights.

Mr. DOYLE. No, Doctor. You may not be willing to believe it but I am not trying to trap anybody. I am just trying to find out your position as a highly educated American citizen about whom it has been testified under oath were a member of the Communist Party. That was the purpose of my question because part of our assignment under Public Law 601 is to investigate ways and means to amend or enact legislation dealing with subject of subversive activities.

(The witness confers with his counsel.)

Mr. DOYLE. And I think it cannot be controverted that the Communist Party is inherently subversive. You have been testified about as having been a member of that Communist conspiracy. Does that make the basis of my question clear?

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised by counsel that the purpose of the question is manifestly to place me in jeopardy, that if the chairman or anybody else were interested in my ideas, which have been frequently expressed in public on this and related subjects, I should be very happy to engage and participate in such discussion.

But in the hearing in which the chairman is the examiner and I am the witness, I am manifestly in jeopardy. And I, therefore, fall back on my rights under the Constitution, the fifth amendment.

Mr. DOYLE. You are manifestly not in jeopardy unless your answer to the question would incriminate you in a criminal proceeding.

If that is the case, of course you have a perfect right to plead your constitutional privilege, if it is in good faith.

Now may I ask you one more question.

In July 1954, your Congress, the United States Congress—and I voted for it and worked for it—passed an amendment to the Internal Security Act, Public Law 557. And it became public law when approved by the President July 29, 1954.

This requires a listing of all printing presses, all machines, all mechanical devices which are capable of being used to produce Com-

munist material and subversive printed material, and requires the registration and listing of all such printing equipment and so forth.

Do you object to that anti-Communist provision in the internal security law? Do I understand that is one of the sections of the internal security law that you object to? Did you object to that in public? If you did why don't you object to it here?

(The witness confers with his counsel.)

Mr. GOLDNER. Counsel urges me to ask whether you have finished stating your question.

Mr. DOYLE. Yes, I have.

(The witness confers with his counsel.)

Mr. GOLDNER. I am advised that the circumstances of this hearing do not require me to testify concerning legislation, and that I am not a lawyer.

I might also say that obviously the section quoted by the chairman raises. I should imagine, even in his own mind, constitutional questions, and that, if there is any validity to the question, therefore, it would place me in jeopardy to answer either affirmatively or negatively.

And I, therefore, stand within my rights.

Mr. DOYLE. One last question.

Public Law 601, under which we operate, directs us to go into any question relating to subversive activities which would enable Congress to enact necessary remedial legislation to existing statutes or possibly new legislation.

Now I think I have a right to assume that you, being a doctor of philosophy and having appeared in public, as you stated yourself, and spoken upon the subject of anti-Communist legislation, the Smith Act and the Immigration and Nationality Act and such, that you have an opinion of ways and means in which Congress should change its anti-Communist legislation as it now exists.

I am giving you a fair and square opportunity to give Congress, as a matter of written record, your recommendations with reference to the security provisions of any of these bills which are, in one way or another, under discussion.

How should they be changed, and why? Will you help us in the field of remedial legislation?

(The witness confers with his counsel.)

Mr. DOYLE. And I assure you it is not in an effort to trap you.

But you are a doctor of philosophy, and you have appeared in public as an expert on your own basis in this field, leading people who listened to you to believe that you knew what you were talking about and that you are an expert.

I don't mean that statement discourteously, but that is what you did, as I take it from your own testimony.

Why don't you give your Congress the benefit of your professional opinion, your expert opinion, so we can take it back to Washington with us—I am asking you in good faith and I am not trying to trap you—on the security provisions of any or all of these four bills?

Now help us right in the presence of these two or three hundred American citizens.

(The witness confers with his counsel.)

MR. GOLDNER. I am advised by counsel to remark that I have not been invited here to express my opinion on this legislation. I have been subpoenaed to come here. That I am not being asked to discuss this legislation on its merits; that I am being asked simply to identify a position, the sole purpose of which identification would be to submit me to jeopardy, and, therefore, to fall back on my rights under the Constitution.

And, further, to reciprocate the solicitousness of the chairman by offering to send in my comments on particularly the Walter-McCarran Act, and perhaps—if the chairman is really interested—on some of the other legislation which is up.

MR. DOYLE. We are interested in the anti-Communist, the national security provisions of these bills; not the merits or lack of merits of any of the other sections of the bills.

And we will be glad to receive your discussion in writing as to the subversive or anti-Communist sections on any or all of them.

I have no other questions, counsel.

MR. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Howard Goddard.

Mr. Goddard, will you please come forward.

MR. JOHN W. PORTER. I doubt that Mr. Goddard is here.

Mr. Arens told me this morning——

Pardon me.

May I address you, Mr. Chairman?

MR. DOYLE. Yes, Mr. Porter.

MR. PORTER. Mr. Arens has called Mr. Howard Goddard whom I represent as counsel. Mr. Arens told me this morning, however, that Mr. Goddard would not be called until tomorrow. At least I so understood. On that basis, I advised Mr. Goddard that he might leave to return tomorrow.

MR. ARENS. You are right about that.

I was advised by Mr. Wheeler a moment ago that he thought he was ready to appear. That is the reason I called him.

MR. DOYLE. Then may the committee stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle and Scherer.)

MR. DOYLE. The committee will please reconvene.

Let the record show that Committee Member Scherer, of Ohio, and Subcommittee Chairman Doyle are present, therefore, a quorum of the subcommittee is present.

I desire to announce that the committee hearing will commence tomorrow morning at 9:15, and all persons who have been subpoenaed for today and are not called today will please report by 9:15 tomorrow morning instead of 10 o'clock tomorrow morning. Are you ready, Mr. Arens?

MR. ARENS. Yes, sir.

MR. DOYLE. Proceed.

MR. ARENS. Janet Stevenson, please come forward.

MR. DOYLE. Will you please raise your right hand and be sworn.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. STEVENSON. I do.

Mr. DOYLE. Please be seated.

TESTIMONY OF MRS. JANET STEVENSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. STEVENSON. My name is Janet Stevenson. I reside at 2101 Stanley Hills Drive in Los Angeles. I am a wife——

Mr. ARENS. Would you kindly keep your voice up a little bit and get a little closer to the microphone. It would be helpful.

Mrs. STEVENSON. Is that close enough?

Mr. ARENS. I haven't been able to hear you yet.

Mrs. STEVENSON. Is it off?

Mr. ARENS. It may be off there. Just keep your voice up. We'll get along all right.

Mrs. STEVENSON. All right.

Mr. ARENS. Now your name, residence, and occupation, please.

Mrs. STEVENSON. My name is Janet Stevenson. My residence is here in Los Angeles at 2101 Stanley Hills Drive. And I am a wife and a mother of children.

Mr. ARENS. Do you have any occupation other than housewife and mother?

Mrs. STEVENSON. That is many occupations, Mr. Arens. If you ask me specifically——

Mr. ARENS. Do you have any occupation in connection with any of the organizations here in Los Angeles such as the Los Angeles Committee for Protection of Foreign Born?

Mrs. STEVENSON. Are you all clear now on the mechanics?

Mr. SCHIERER. I think so.

Mrs. STEVENSON. Now I prefer to have you ask me again.

Mr. ARENS. Are you connected with the Los Angeles Committee for Protection of Foreign Born?

Mrs. STEVENSON. Well, that doesn't seem to me to be a proper question for me to answer. I would like the chairman to rule on this doubt that I have.

It seems to me to be a question which might invade my right of association, which, I think, is guaranteed to me; and also which might, in this setting, link me with some association which would be injurious to me.

Is that right, Mr. Doyle? Would you rule for that?

Mr. DOYLE. I notice, Madam Witness, that you are here without legal counsel. And I thought probably that our distinguished counsel would ask you if you wanted to proceed without the benefit of legal counsel.

Mr. ARENS. That is the next question. We are only into the point of her identification and employment.

Mrs. STEVENSON. Meanwhile, would you help me on this point?

Mr. ARENS. I will be glad to advise you. The situation is this:

Under the Constitution of the United States you may not be compelled against your will to give information which could be used against you in a criminal proceeding.

We have a right to ask you questions.

But you are not obliged to answer a question if you honestly believe that a truthful answer to that question would give information which could be used against you in a criminal proceeding.

If you have an honest apprehension or honest fear with respect to any question I ask you, and honestly feel that a truthful answer to the question would give information that could be used against you in a criminal proceeding, you may, if you so decide, invoke the provisions of the fifth amendment, and that invocation will be respected by this committee.

Do I make myself clear?

Mrs. STEVENSON. I think I understand you. And, if I do, then I would say that I honestly apprehend that, in this setting, after as much of it as I have listened to, I would feel that answering that question might put me in some kind of jeopardy.

Mr. ARENS. I don't mean some kind of jeopardy.

Do you feel that if you truthfully answered the question as to whether or not you were connected with the Los Angeles Committee for Protection of Foreign Born you would be giving information that might be used against you in a criminal proceeding?

Mrs. STEVENSON. Mr. Chairman, is it all right for Mr. Arens to interrupt me while I am trying my best to answer him?

Mr. DOYLE. I think Mr. Arens is trying to cooperate with you in a difficult situation. I am sure he doesn't intend to interrupt you.

Mr. SCHERER. I think this witness should invoke the fifth amendment if she has any doubt. And go on to the next question.

Mr. DOYLE. We would rather have you appear here with a lawyer who would advise you as to your rights because we do not want to be placed in the position of being your legal counsel.

Mrs. STEVENSON. Well, Mr. Doyle, you said this morning, I think, that all the members of the committee were lawyers.

And so you should be able to—and I understand that you really have that responsibility, too.

Mr. DOYLE. No. I assure you that we do not assume the responsibility of being legal counsel for the witnesses.

Mrs. STEVENSON. No. I meant in safeguarding my rights under the Constitution.

Mr. DOYLE. I see by your question and statement that you are quite well informed, and maybe you don't need legal counsel as much as some other people because manifestly you are very well informed from the position you have taken and the statement you just made. I would say to you, because you have directed the question to me, that if you feel that you ought to have legal counsel, then the committee would rather postpone your hearing until tomorrow morning so that you can get your legal counsel.

Mrs. STEVENSON. No; I didn't ask you about legal counsel, Mr. Doyle. I asked you to help me on the question.

Mr. DOYLE. Because we do not want to proceed if you have any question about what your rights are.

Mrs. STEVENSON. Well, Mr. Doyle, I didn't come here accidentally without counsel.

And what I meant when I addressed my request to you was not to ask you to act as my counsel, but, rather, to know whether it wasn't

also the responsibility of the committee to guarantee any citizen called here their ordinary constitutional rights. You wouldn't want to violate them? So you should want to help them.

Mr. DOYLE. No. I see you are prepared to make a nice statement on that subject, and that is all right.

You are maintaining your position very properly. But, on the other hand, we cannot enter the area of being legal adviser of any witness, and we are refusing to be so.

I wish to say again that if you want legal counsel by your side, then we will postpone your testimony until tomorrow so that you can get legal counsel.

Mrs. STEVENSON. No.

Mr. DOYLE. On the other hand, I think, as Mr. Arens has stated in trying to help you, that if you have any anticipation that your answering a question truthfully according to the facts as you know them would incriminate you or submit you to prosecution in a criminal proceeding, why, then you should in good faith, plead your constitutional privilege.

Mrs. STEVENSON. I see.

Mr. DOYLE. Is that clear?

Mrs. STEVENSON. Yes, I think so.

Mr. ARENS. Now you said that your appearance here—a moment ago—without counsel was not accidental or something to that effect.

Have you consulted with counsel since you were subpoenaed by this committee?

Mrs. STEVENSON. Mr. Arens, I am sure that isn't a proper question.

Mr. ARENS. It is a proper question. I respectfully suggest Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. Yes.

Mrs. STEVENSON. You would have to explain to me what you mean by consulting counsel. I suppose any discussion is, in a way, consultation. I have discussed appearing before this committee with many people, some of whom are members of the bar. But I don't think I would call—I just don't know. You see this is the kind of technicality I didn't expect to have to make decisions on.

Mr. ARENS. This is not technical at all. It is just pointed and it is very clear. Mr. Roy Huggins testified before this committee under oath on September 29, 1952, and he stated, among other things, that he knew you as a Communist. Was Mr. Huggins lying or was he telling the truth?

Mrs. STEVENSON. Now that sort of a question, I should think, would certainly put one in jeopardy, and I would think I would have to fall back on my—

Mr. ARENS. It would only put you in jeopardy if you feel an honest answer to that question would give information which might be used against you in a criminal proceeding.

Mrs. STEVENSON. You are answering the question. I thought you wanted me to.

Mr. SCHERER. He has been trying to help you.

Mrs. STEVENSON. I find it unhelpful when he interrupts me. I am trying to form a thought, and state it clearly and concisely. There is some pressure here, to be clear. And it is very distracting to me to be interrupted.

Mr. SCHERER. Witness, you are smarter than you pretend to be.

Mr. ARENS. I think you are putting on a little act before the committee; aren't you?

Mrs. STEVENSON. Now, Mr. Arens, that's not a nice thing to say.

Mr. ARENS. Then tell this committee while you are under oath whether or not Roy Huggins was telling the truth when he said you were a Communist. And if you fear that a truthful answer to that question would be giving information that could be used against you in a criminal proceeding you are entitled to invoke the privilege of the fifth amendment.

Mrs. STEVENSON. Thank you. Mr. Chairman, I am going to ask you to give me a ruling on this because there are two things about it that make me feel dubious about answering. One of them is that it doesn't seem to me to have any pertinency to any legislative purpose of the committee. I understand that the committee is supposed to have a legislative purpose. I don't see how my associations can possibly fall into an area where Congress can legislate and, therefore, should investigate. And there is another—do you want me to go on?

Mr. DOYLE. You go ahead with your other question. I do not wish to interrupt you.

Mrs. STEVENSON. I would like a ruling on that. And I would also like a ruling on whether this question doesn't invade those rights of association which are guaranteed to us, doesn't jeopardize one's security?

Mr. SCHERER. I ask that you direct her to answer the question. She is better than most people with a lawyer.

Mr. DOYLE. I remember hearing you say, a minute or two ago, that you talked with many people, including lawyers, about this matter.

Mrs. STEVENSON. It is possible.

Mr. DOYLE. Yes; it is possible. You stated that you had talked with many people, including lawyers. Which is all right, and I am glad you did. I am sorry you haven't one by your side now. But may I state in frankness to you, because you are here without counsel and you have directed to me a civil question, we have sworn testimony that you were a member of the Communist Party, you see. Is that true, Mr. Arens?

Mr. ARENS. Yes, sir.

Mr. DOYLE. You know that already, but I am just reminding you of it. The other thing is that you have been active, according to our records, on the Los Angeles Committee for the Protection of Foreign Born. And one purpose of this hearing, as I have announced two or three times, is to find the extent to which Communists in Los Angeles, in the Committee for Protection of Foreign Born or in any Communist front, have subversively been attacking the anti-Communist provisions of the Internal Security Act. Therefore, you understand. I am telling you again, and you knew it already, that you have been identified as a Communist. Therefore, it is entirely proper, under Public Law 601, that we ask you the other question. And that is my ruling.

Mrs. STEVENSON. All right. Well, it isn't clear to me how this has a legislative purpose. But also I am still sure it invades the rights of association and the freedom to associate, to carry on any kind of protest that a citizen wants to. So I think I should refuse to answer

that and invoke—well, all the safeguards that the Bill of Rights provides.

MR. ARENS. You are an old hand at proceedings of this kind; are you not?

MRS. STEVENSON. No, Mr. Arens.

MR. ARENS. You have been in a proceeding of this kind before the board of regents of the University of Southern California; have you not?

MRS. STEVENSON. That is the kind of question that puzzles me. Mr. Chairman, again it seems to me that this is the sort of question which, whatever way I should answer it, would certainly tend to put me in some kind of jeopardy in this kind of a setting.

MR. SCHERER. I ask that you direct the witness to answer that question.

MR. DOYLE. You understand the question, and I direct you to answer the question.

MRS. STEVENSON. He asked me if I had been in a similar proceeding to this.

MR. ARENS. Yes. You were before the board of regents of the University of Southern California; were you not?

MRS. STEVENSON. Well, I am going to refuse to answer this question because it seems to me to be the kind of a question that invades my rights of association, and they have no pertinency to any proper legislative proceedings of the committee. And I invoke all the safeguards I have under the Bill of Rights.

MR. SCHERER. Does that include the fifth amendment?

MRS. STEVENSON. It certainly doesn't exclude the fifth amendment.

MR. SCHERER. We are directed by the courts to ask you, when you are not specific, whether it includes the fifth amendment.

MRS. STEVENSON. Yes.

MR. SCHERER. All right. That is all.

MR. ARENS. Now I have here a community and religious panel of the Los Angeles Committee for Protection of Foreign Born, which had set up a conference to protect the rights of foreign-born Americans, held March 19, 1955, and I see here that the chairman of this organization, the community and religious panel, is one Janet Stevenson.

According to this panel, the recipients or participants are asked to prepare ads to reach all community organizations, to go into various church bodies, and to get protests against certain provisions of the law.

Please look at that summary of the panel of this conference to Protect the Rights of Foreign Born and see if you can help this Committee on Un-American Activities by telling us whether or not you are accurately described there as the leader of that panel that recommends the comrades go into the churches and into community groups as a medium of reaching more people?

(See exhibit No. 454, appendix, p. 7881.)

(The witness examines document.)

MRS. STEVENSON. I don't see that wording here.

MR. ARENS. First of all, let's start from the top of the page. Look at the top of the page and see if you aren't listed there as chairman of the panel. Let's start there.

MRS. STEVENSON. Wait a minute. I'm sorry. Did I interrupt your basic problem?

Mr. ARENS. Yes, I know you didn't intend to because I know you want to respond. Tell us, are you accurately described as chairman of that panel?

Mrs. STEVENSON. Mr. Arens, this looks like a perfectly public conference on the merits of a law which Mr. Doyle says we are not supposed to comment on. That is not the purpose of this hearing.

Mr. ARENS. You know he didn't say that.

Mrs. STEVENSON. We were not to consider the merits or lack of merits.

Mr. ARENS. He said the inquiry of this committee is not at the present time with reference to the merits or demerits of various legislative enactments. He said the purpose is to see what the Communists are doing in this field. You tell us now, first of all, if you are accurately described there as chairman of this conference. Let's get that point settled, and then we will go on to the next point.

Mrs. STEVENSON. Now?

I think I had better say that I refuse to answer a question which seems to me might invade my rights of free association and free political action and in some way put me in jeopardy.

Mr. ARENS. There is no invasion of any free action. We want you to tell us all about the action you had there. We are not trying to impede you or—

Mrs. STEVENSON. You don't need me to tell you. It is all here.

Mr. ARENS. Tell us what you did.

Mrs. STEVENSON. You can read this, Mr. Arens. You don't need me to tell you.

Mr. ARENS. Tell us if that is true or incorrect. Maybe that is a fake.

Mrs. STEVENSON. I don't think I should answer that question. That again gives me the feeling—

Mr. ARENS. Tell us while you are under oath.

Mrs. STEVENSON. That I am going into an area where the pertinency to any real, honest, legitimate legislative purpose gets very dim in my mind. And certainly—

Mr. ARENS. You don't think the Congress has any legitimate purpose in inquiring into the activities of the Communists?

Mrs. STEVENSON. Not inquiring into the open, civic activities of the citizens for or against a piece of legislation.

Mr. DOYLE. Mr. Arens, may I make this statement.

Don't you think it is pertinent for the United States Congress to find the ways and means by which persons identified as Communists, such as you have been, are infiltrating church organizations, college institutions and other organizations? Don't you think that is pertinent under Public Law 601? To find out the extent to which Communists—and you have been identified as one and haven't denied that yet. Don't you think that is pertinent under Public Law 601?

Mrs. STEVENSON. No, it doesn't seem to me to be because Public Law 601, as I understood what you said about it—

Mr. DOYLE. Because we may have to amend or revise our law to try to block the activities of Communists in educational institutions and in churches and other places.

Mrs. STEVENSON. Mr. Doyle, churches, and, I am sure, educational institutions, too, are specifically protected under our Constitution from legislation which invades them at all. So how could it?

Mr. DOYLE. They are not protected from Communists, manifestly, in some of their student body leaderships and even on their faculties in some cases.

Here you are, according to this bulletin, advocating—and being a Communist according to sworn testimony—advocating these people to go into church organizations.

Mrs. STEVENSON. I don't see any such word.

Mr. ARENS. Were you a teacher of drama at the University of Southern California? That is a drama teacher.

Mrs. STEVENSON. Mr. Chairman, how do my activities, if I had been a drama teacher, fall in a legitimate area of congressional investigation? You are not investigating drama?

Mr. SCHERER. We are having a little bit of drama.

Mr. ARENS. Tell us truthfully now. Are you a Communist?

Mrs. STEVENSON. I refuse to answer that question because I am sure that invades my rights of association, political and otherwise, and I invoke all the safeguards I have under the Bill of Rights in refusing to answer.

Mr. ARENS. Mr. Chairman, that concludes the staff interrogation of this witness.

Mr. SCHERER. Does that include the fifth amendment?

Mrs. STEVENSON. Yes, Mr. Scherer.

Mr. DOYLE. That question I wanted to ask because she is here without counsel. May I understand now your last answer meant to include every constitutional protection you have. Is that correct?

Mrs. STEVENSON. Yes, Mr. Doyle.

Mr. DOYLE. And that same answer by you to this question would apply to all answers you have given where you refused to answer on your constitutional rights?

Mrs. STEVENSON. Yes.

Mr. ARENS. We have no further questions, Mr. Chairman. Are you ready for another witness?

Mr. DOYLE. Yes.

Mr. ARENS. Josephine Yanez, Y-a-n-e-z.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. VAN LEUVEN. I do.

TESTIMONY OF MRS. JOSEPHINE YANEZ VAN LEUVEN, ACCOMPANIED BY COUNSEL, JOHN W. PORTER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

(The witness confers with her counsel.)

Mrs. VAN LEUVEN. My name is Josephine Yanez Van Leuven, V-a-n—

Mr. SCHERER. The press can't hear this witness.

Mrs. VAN LEUVEN. V-a-n L-e-u-v-e-n. My address is 3641 Woolwine Drive.

Mr. ARENS. Los Angeles?

Mrs. VAN LEUVEN. Right.

Mr. ARENS. Continue, please; your occupation?

(The witness confers with her counsel.)

Mrs. VAN LEUVEN. Mr. Chairman, under the——

Mr. ARENS. We are having difficulty hearing you.

Mr. SCHERER. The microphone isn't close enough.

Mr. ARENS. Would you put the microphone closer, please.

Now we are at the point where we started with your name, residence, and occupation. We have your name and residence, and we are about to get your occupation, I hope.

Mrs. VAN LEUVEN. Mr. Chairman, under the rights guaranteed me under the Constitution of the United States, I am claiming the privilege of the first and fifth amendments in refusing to answer as to my occupation.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. VAN LEUVEN. That is is apparent. I was compelled to come here.

Mr. ARENS. And you are represented by counsel?

Mrs. VAN LEUVEN. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. PORTER. John W. Porter.

Mr. ARENS. Before we forget about it, Witness, do you, aside from any relationship of attorney and client, know a Communist by the name of John W. Porter?

Mr. PORTER. I want the record to show my continued objection to this question, Mr. Chairman, and my charge that, in asking it, Mr. Arens is violating well-established principles of legal ethics on the part of members of the bar.

I don't know whether he claims to be such or not, but, if he does, I submit that this is a totally improper question as evidenced by the statement previously submitted to the chairman of this committee by all counsel representing witnesses here today.

Mr. ARENS. Any time counsel wants to take an oath we will ask him the \$64 question and we will be very glad to have him then testify.

Counsel knows his sole and exclusive prerogative as counsel is to advise his witness of her constitutional rights.

Mr. PORTER. And I submit that, in asking this question, Mr. Arens is invading my duty here as counsel for this witness. I object to it, and I ask the chairman to rule that question out of order.

Mr. ARENS. Just a moment, please, Mr. Chairman. While the chairman is considering the motion of counsel I respectfully suggest that we suspend the proceedings just for a moment and call Mrs. Anita Schneider to get an item of information out of the way.

Mrs. Schneider, would you please come forward. Then we will proceed, Mr. Chairman.

Mr. DOYLE. Do you want Mrs. Schneider sworn?

Mr. ARENS. If you please, sir.

Mr. DOYLE. Will you please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. SCHNEIDER. I do.

TESTIMONY OF ANITA SCHNEIDER

Mr. ARENS. Mrs. Schneider, we expect to interrogate you at length tomorrow on a number of matters. I want to ask you for 1 or 2 items of information today. Have you ever been a member of the Communist Party?

Mrs. SCHNEIDER. Yes, I have.

Mr. ARENS. Were you a member of the Communist Party solely and exclusively at the behest of the Federal Bureau of Investigation?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. During the course of your experience in the Communist Party did you know a person as a Communist by the name of John W. Porter?

Mr. PORTER. Just a minute. I want to interpose an objection to this kind of interrogation, upon the grounds which I have heretofore stated.

If the question refers to me, who am here as counsel for the witness now on the stand—Mrs. Yanez—I submit to you that it is an improper question, as Mr. Arens well knows, that it is an attempt to interfere with Mrs. Yanez' right to free choice of counsel.

Mr. ARENS. There is no attempt to interfere here. He is representing his client.

Mr. PORTER. I insist upon an objection to this question, and I ask the objection be sustained.

Mr. ARENS. While you were in the Communist Party at the behest of the Federal Bureau of Investigation serving your Government, did you know a Communist by the name of John W. Porter.

Mr. PORTER. I insist on my objection.

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Do you see him now?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Would you point him out to the committee.

Mrs. SCHNEIDER. This man right here.

Mr. ARENS. That is all for the moment.

Mr. DOYLE. Your objection is in the record, Mr. Porter.

Mr. PORTER. There is no ruling by the Chair.

TESTIMONY OF JOSEPHINE YANEZ VAN LEUVEN—Resumed

Mr. ARENS. Are you identified or have you ever been employed by the Los Angeles Committee for Protection of Foreign Born?

Mrs. VAN LEUVEN. Mr. Arens, where I have been employed is my affair. I have no intention of telling you where I have been employed or where I have not been employed. I do so under the first and fifth amendments.

Mr. ARENS. Mr. Wheeler is going to display to you a number of checks of the Los Angeles Committee for Protection of Foreign Born. Those checks, many of which at least are signed by yourself, are payable to yourself. Please look at those checks of the Los Angeles Committee for Protection of Foreign Born and tell us whether or not, to your certain knowledge, they are true and correct representations of your signature.

Mrs. VAN LEUVEN. My answer still stands on the first and fifth amendments.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were employed by the Los Angeles Committee for Protection of Foreign Born, and that you also, in the course of your employment, signed certain checks for the Los Angeles Committee for Protection of Foreign Born.

Mrs. VAN LEUVEN. How many questions are you asking me, Mr. Arens?

Mr. ARENS. If I told you, would you answer them?

Mrs. VAN LEUVEN. That is question No. 5.

Mrs. ARENS. Then let's just start over again.

Mr. Wheeler is going to display to you now still another document. It is the bank signature card for the Los Angeles Committee for Protection of Foreign Born showing your signature, that of Josephine Yanez as secretary.

Please look at the signature card and tell this committee whether or not it presents a true and correct representation of your signature.

(Documents marked "Exhibit No. 455," see appendix, pp. 7885-7889.)

(The witness examines documents and confers with her counsel).

Mr. ARENS. Would you kindly tell us.

Mrs. VAN LEUVEN. Would you wait just a minute?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I think you have had plenty of time to answer the question.

Mrs. VAN LEUVEN. Very well, Mr. Chairman. Would you repeat the question?

Mr. ARENS. Yes. Do those checks there truly and accurately represent your signature and you as a payee of certain of the checks?

(The witness confers with her counsel.)

Mrs. VAN LEUVEN. I think I have made an answer very clear on that question.

Mr. DOYLE. What is your answer, please?

Mrs. VAN LEUVEN. I stated it already, sir: I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now I want to invite your attention to still another document. It appears, by the Communist Daily People's World, that there must have been some connection between the Los Angeles Committee for Protection of Foreign Born and the National Conference To Repeal the Walter-McCarran Law that was held in Chicago back in 1953.

Please look at this article which says that Josephine Yanez is representing the Los Angeles Committee for Protection of Foreign Born at that national conference in Chicago, and see if that truly and accurately represents the facts, and tell this committee while you are under oath whether or not that is true and correct.

(Document marked "Exhibit No. 456," see appendix, p. 7890.)

(The witness confers with her counsel.)

Mrs. VAN LEUVEN. I don't believe it is necessary to give you any information at all of any activities I may have had, or may not have had, and therefore I want to rely on the first and fifth amendments of the Constitution.

Mr. ARENS. The fact that your counsel has just been identified now as a Communist hasn't hurt your consultation with him at all, has it?

Mrs. VAN LEUVEN. Mr. Chairman, would you—I can't hear what he is saying. Mr. Arens, would you wait just a moment, please?

(The witness confers with her counsel.)

Mr. ARENS. Go right ahead and confer with your counsel.

Mrs. VAN LEUVEN. I can't hear him and talk to my counsel at the same time.

Mr. ARENS. We don't want to interfere with your opportunity to confer with your counsel.

(The witness confers with her counsel.)

Mrs. VAN LEUVEN. I want to state here that it is very apparent that any questions that Mr. Arens is directing regarding my counsel is invading my free right of choice of counsel.

And I am very disturbed that Mr. Arens is allowed to behave in this manner.

I think it is extremely shameful.

Mr. ARENS. Do you want to answer the question now?

Mrs. VAN LEUVEN. Mr. Chairman, did you want to say something?

Mr. DOYLE. No.

Mr. ARENS. Now we want to invite your attention to still another document, the Communist Daily People's World of June 1955, a letter to the editor, all signed by Jose Fina Yanez, Los Angeles Committee for Protection of Foreign Born.

Look at this document and see if that is a true and correct representation of a letter by you to the editor.

(The witness examines document and confers with her counsel.)

Mrs. VAN LEUVEN. I don't think I have to answer that, sir. The question you asked me—

Mr. ARENS. You have to answer it unless you honestly apprehend that a truthful answer to that question would give information—

Mrs. VAN LEUVEN. A date is not on here.

Mr. ARENS. Would you answer it if I give you the correct date?

Mrs. VAN LEUVEN. He said June 1955.

Mr. ARENS. Apparently your problem is the date. Let's get the date straight.

According to the Communist Daily People's World of Tuesday, July 12, 1955, you sent this letter to the editors.

Look at that letter and that date and tell us whether or not that is a letter you sent to the editor of the Communist Daily People's World.

(Document marked "Exhibit No. 457," see appendix, p. 7890.)

Mrs. VAN LEUVEN. If I did, sir, or if I did not, is my own affair, and I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. We have some more conferences we want to ask you about. See if you couldn't be helpful to your Government in undertaking to develop facts to expose subversive activities. It is a report by Josephine Yanez to the Los Angeles Committee for Protection of Foreign Born, to the fifth annual conference, March 19, 1955, in which many things are set forth attacking various legislative enactments of the Congress.

Kindly look at this report and see if you can give us a verification of its authenticity.

(Document marked "Exhibit No. 458," see appendix, pp. 7890-7892.)

Mrs. VAN LEUVEN. I still stand on the first and fifth amendments in refusing to answer.

Mr. ARENS. Now we have another document to call to your attention. It is from the Communist Daily People's World of Wednesday, March 3, 1954, an article about the "Los Angeles Foreign Born Parley Outlines Walter Act, Mexican Aid Plans."

It tells about a conference which reelects the officers and staff of the Los Angeles Committee with a Miss Yanez, director of work in the Mexican community.

Please look at that and tell us whether or not you were elected by the conference to be director of the work in the Mexican community in Los Angeles.

(Document marked "Exhibit No. 459," see appendix, pp. 7892, 7893.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. And while we are on that subject matter——

Mr. PORTER. One question at a time.

Mr. DOYLE. The witness started to answer.

Mr. ARENS. I beg your pardon. Go right ahead.

Mrs. VAN LEUVEN. The same grounds as the previous one.

Mr. ARENS. I have another document. It is a conference program for the fourth annual conference of the Los Angeles Committee for Protection of Foreign Born in which a Josephine Yanez is identified as the activities director in the Mexican community.

Kindly look at that and see if that is true and correct.

(Document marked "Exhibit No. 460," see appendix, p. 7894.)

Mrs. VAN LEUVEN. I can't possibly see why you insist on wasting all of this time, Mr. Arens.

I still stand on the first and fifth amendments.

Mr. ARENS. I want to apologize for any waste of time. It certainly isn't intentional.

I have here a copy of a letter of the Los Angeles Committee for Protection of Foreign Born in which a Josephine Yanez is identified by her signature as secretary of that organization.

According to this, they are going to have a big fiesta. Tickets for a dollar.

(See exhibit No. 433, appendix, p. 7858.)

Please look at that and see if you can help this committee by telling us whether or not that is your signature.

And here are a few more which we want to incorporate by reference in this record, which you might look at at the same time.

Mrs. VAN LEUVEN. I still refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest the signature of this witness, if and when she affixes it to a voucher for her per diem and witness fee, be incorporated in the body of this record so that there may be a comparison of signatures.

Mr. DOYLE. Without objection, it is so ordered.

(Document marked "Exhibit No. 461," see appendix, p. 7895.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

And I respectfully suggest, now that John W. Porter has been identified by a live witness under oath as a member of the Communist Party, Mr. Porter not be subpoenaed but be given an opportunity, if he so desires, to deny it and submit himself to an oath.

Mr. PORTER. Is the witness excused, Mr. Chairman?

Mr. DOYLE. The witness is excused.

Mr. ARENS. Henry or Harry Carlisle. Kindly come forward.

Mr. BROCK. Just a moment. The witness isn't going to approach until the cameramen sit down. He is not going to have a picture taken. I think the Chair will recognize that.

Mr. ARENS. You wouldn't want to violate the freedom of the press.

Mr. BROCK. I wouldn't violate anything you haven't already done, Mr. Arens.

Mr. DOYLE. Just a minute. We will make this ruling: The Chair rules that the freedom of the press permits the press at public hearings of this committee to take the picture of any witness before he has taken his oath. That is my ruling.

TESTIMONY OF HARRY CARLISLE, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. BROCK. May I file this with you, Mr. Chairman?

I have sent a copy of a letter and a copy for Mr. Scherer.

Mr. DOYLE. Of course you know this is not a court, and we are not going to make any ruling on legal questions.

Mr. BROCK. I refrain from the obvious comment, that it is a kangaroo court. We have a serious motion to quash the subpoena. There is a pending action involving Mr. Carlisle and which this kind of—

Mr. ARENS. Mr. Carlisle, would you kindly remain standing while the chairman administers an oath?

Counsel is to be advised that his sole and exclusive prerogatives are to advise his client with respect to his constitutional rights.

Mr. BROCK. I will take my instructions from the chairman.

Mr. ARENS. Mr. Carlisle remain standing while the chairman administers an oath to you.

Mr. BROCK. I have a serious problem raised here, and I want a ruling on it.

Mr. DOYLE. Just a minute.

Mr. BROCK. Surely; I didn't mean to interrupt. I don't mean to delay the committee. This presents a very serious problem.

Mr. DOYLE. I wish to say this, Counsel:

You may have a meritorious motion in a proper legal forum, but this is not a court. I have no authority to quash a subpoena. And you have your recourse in a court of law. Manifestly, this is not a court of law, and I would suggest that you take your motion to the proper court of jurisdiction because we have no authority to act as a court.

Mr. BROCK. I don't want to take much time, and I would like to be heard just for a second, if you please.

Mr. DOYLE. Go ahead.

Mr. BROCK. This is a serious problem. Mr. Carlisle's status is now involved in a case before the court. The only place the subpoena can be attacked is right here. Your committee issued it. I cannot go before the court for many reasons, including time. If you truly want to get something out of Mr. Carlisle the least you can do is to wait until the judicial proceeding is terminated. This wouldn't hurt this committee in the least bit. You can come back here next year or sometime when the courts have ruled on this.

Mr. SCHERER. I move we proceed, Mr. Chairman.

Mr. DOYLE. We wish to state this, Counsel: Mr. Scherer and I are both lawyers of a good many years of practice. That is, I have been in California and Mr. Scherer in the Ohio courts. I am quite sure that you have your recourse in a court of law. You have a speedy remedy if you wish to take it. This is not a court, and I will not assume to act as a court.

Mr. BROCK. A ruling, Mr. Doyle, please.

Mr. DOYLE. The ruling is that we have no jurisdiction in the matter and I can't do it.

Mr. BROCK. Do I take it the motion is denied, sir?

Mr. DOYLE. No. I will not in any way because we are not a court.

Mr. BROCK. Could we have the motion made a part of the record? May I have it made a matter of record?

Mr. DOYLE. We will be glad to make your motion a part of our records.

Mr. BROCK. Thank you.

Mr. DOYLE. I am sorry.

Mr. BROCK. Thank you.

Mr. DOYLE. Will you please raise your right hand?

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. CARLISLE. I do.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CARLISLE. Harry Carlisle, 1606 North Sierra Bonita, Los Angeles; writer.

Mr. ARENS. And for what agency or organization do you write?

Mr. BROCK. Mr. Carlisle is here with counsel. Do you want me to identify myself?

Mr. ARENS. We will take care of that after the witness is duly identified. For what organization or entity do you write?

(The witness confers with his counsel.)

Mr. CARLISLE. I am instructed by counsel, advised by counsel, that this committee has no right to ask such questions of me, that this is, in effect, the destruction of the Bill of Rights. And I, therefore, refuse to answer such questions.

Mr. ARENS. If your counsel advises you that way he advised you erroneously.

Mr. BROCK. I object to that.

Mr. ARENS. I respectfully suggest that this witness be ordered to answer and that counsel be admonished that his sole and exclusive prerogative is to advise the witness.

Mr. BROCK. This is the exact conduct this man has been doing right along. He is not permitted to question my advice to a client. He is

purporting to act as this man's counsel. You know that, Mr. Doyle.

Mr. DOYLE. You know the rules of the committee.

Mr. BROCK. I have some protection here against this type of conduct.

Mr. ARENS. Counsel knows if he acted that way in a court of law he could be fined and put in jail.

Mr. DOYLE. Let's go ahead.

Mr. BROCK. May I have a ruling he is not to instruct my client on the law? He hired me for it. He will hire you next time.

Mr. ARENS. I wouldn't represent him.

Mr. BROCK. You wouldn't because you are not a lawyer.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that. We will get to you in a moment, Counsel.

Mr. DOYLE. May I have the question, please.

Mr. ARENS. The question is where were you employed?

Mr. DOYLE. I instruct the witness to answer that question.

(The witness confers with his counsel.)

Mr. CARLISLE. I refuse to answer that question on the grounds of my protection under the first and fifth amendments.

Mr. ARENS. You are represented by counsel?

Mr. CARLISLE. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. BROCK. Robert L. Brock, B-r-o-c-k, of the firm of Brock, Easton, Fleishman & Rykoff, Hollywood, Calif. And I represent anyone who comes to me.

Mr. ARENS. Where were you born, Mr. Carlisle?

(The witness confers with his counsel.)

Mr. CARLISLE. I refuse to answer this question on the grounds of the first and fifth amendments, and because all such questions are involved in the proceedings, as this committee probably well knows, before the Federal courts of the United States.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct the witness to answer.

Mr. CARLISLE. I stand on the answer that I gave, that I will invoke the protection of the first and fifth amendments.

Mr. ARENS. Aside from any relationship of attorney and client, do you know or have you ever known as a Communist a person by the name of Robert L. Brock?

Mr. BROCK. No; he hasn't, and you're a liar, and you know it. If you want to make that charge out in public where you can't hide behind immunity, make it.

Mr. ARENS. I respectfully suggest that, in view of the contemptuous conduct of counsel, that counsel be given an opportunity to submit himself to an oath.

Mr. BROCK. I have been here under an oath. And, by a subpoena, I will come again.

Mr. ARENS. And you took the fifth amendment.

Mr. BROCK. Read the record.

Mr. ARENS. You invoked the fifth amendment when you were asked whether or not you were a Communist.

Mr. BROCK. I did not. You lie.

Mr. DOYLE. Just a minute.

Mr. ARENS. Did you take the fifth amendment when you were interrogated by the committee?

Mr. BROCK. On what question?

Mr. ARENS. As to whether or not you were a member of the Communist Party.

Mr. BROCK. I did not.

Mr. ARENS. Did you take the fifth amendment when asked whether or not you had ever been a Communist?

Mr. BROCK. I am not going to get in a controversy.

Mr. ARENS. You started this, as to whether or not you have ever been a member of the Communist Party, did you take the fifth amendment?

Mr. BROCK. I refuse to discuss this Communist problem with you. Your committee well knows if I have done anything wrong you can prosecute. Try it.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. BROCK. I am not under oath and I am not discussing the topic with you. Counsel's conduct is the most contemptible I have seen in a court, much less a hearing. You know it, Mr. Doyle. You know this is a theatrical thing designed to catch the press.

Mr. DOYLE. I would suggest this, as long as you have designated committee counsel as a liar——

Mr. BROCK. It is clear he is.

Mr. ARENS. Then stand up like a man and submit to an oath and tell the committee whether or not you have ever been a member of the Communist Party.

Mr. DOYLE. I would submit to you, sir, that it might be well for you to voluntarily appear before the committee and not make the committee subpoena you. And I think, in view of your public charge——

Mr. BROCK. The committee can do as it chooses.

Mr. DOYLE. That is a suggestion.

Mr. BROCK. I have been before this committee. And it is no pleasure.

Mr. DOYLE. I know that.

Mr. BROCK. And I don't particularly care to appear before it. If you subpoena me I am here and I will appear.

Mr. DOYLE. Would you appear without a subpoena?

Mr. BROCK. No; I will not.

Mr. DOYLE. Maybe, to clear up the situation then, we should subpoena you.

Mr. BROCK. You can do what you choose.

Mr. DOYLE. And give you the chance to make the record whatever it should be.

Mr. BROCK. You can do what you choose.

Mr. ARENS. Now, Mr. Carlisle, we would like to display to you photostatic copies of some checks of the Los Angeles Committee for Protection of Foreign Born, on which the payee is Harry Carlisle.

Please tell this committee whether or not those are true and correct, authentic checks, and whether or not that is part of the labors for which you were paid as a writer. I believe you said you were a writer.

(Document marked "Exhibit Nos. 462 and 463," appendix, pp. 7896, 7897.)

(The witness confers with his counsel.)

Mr. CARLISLE. How many questions is that, Mr. Arens?

Mr. ARENS. I think you follow me.

Mr. CARLISLE. I am not sure that I do. I wouldn't ask you if I had followed you. In fact, I think you phrase your questions in such a way—

Mr. ARENS. Tell us whether or not those checks are true and correct representations of checks made payable to you by the Los Angeles Committee for Protection of Foreign Born.

Mr. CARLISLE. Mr. Chairman, I asked a simple question. How many questions did he ask?

Mr. ARENS. Just take them one by one.

Mr. CARLISLE. Will you please wait until I finish my answer?

He asks compound questions and phrases them in such histrionics as to make all sorts of implications. I would like, if the chairman please, since he has attacked my counsel, and he is attacking me in the same way—

Mr. ARENS. And we will continue to attack and expose all Communists.

Mr. CARLISLE. No courtesy whatsoever. And I am trying to be courteous to this committee, but at the same time protect my essential rights.

Mr. DOYLE. Is there one question pending?

Mr. ARENS. Yes sir, I will give it again.

Mr. ARENS. Do those checks there truly and correctly represent original checks of which you were the payee of the Los Angeles Committee for Protection of Foreign Born?

Mr. CARLISLE. I refuse to answer this question on the grounds of the first amendment supplemented by the fifth amendment.

Mr. ARENS. Now we want to display to you a letter on the Los Angeles Committee for Protection of Foreign Born letterhead, signed Harry Carlisle, chairman, conference organizing committee.

Please look at this letterhead with your signature and see if you can help this Committee on Un-American Activities by attesting to the authenticity of your signature on this letter.

(Document marked "Exhibit No. 464," see appendix, p. 7898.)

Mr. CARLISLE. I refuse to answer on the same grounds, Mr. Chairman, invoking the same privileges.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest that if, as, and when this witness affixes his signature to a voucher for per diem and expenses as a witness, that that part of the voucher bearing his signature be incorporated in the body of the record so that there may be a comparison with the signatures appearing on the exhibits thus far exhibited to him.

(Document marked "Exhibit No. 465," see appendix, p. 7899.)

Mr. BROCK. No objection at all. That will be all right.

Mr. DOYLE. It will be so ordered.

Mr. ARENS. Now we want to display to you an original document entitled "Committee for the Protection of Foreign Born" re a festive occasion in which the recipient is receiving an outline of a report to the National Conference of Heads of Committees, signed Harry Carlisle, festival coordinator.

Please look at that document and see if you can attest to its authenticity.

(Document marked "Exhibit No. 466," see appendix, p. 7900.)

(The witness confers with his counsel.)

Mr. CARLISLE. I refuse to answer on the same grounds, Mr. Chairman, invoking the first and fifth amendments.

Mr. ARENS. Now we have another document that is the reproduction of the original letter of the Sixth Annual Conference to Repeal the Walter-McCarran Law and Defend Its Victims, May 17, 1956, signed by Harry Carlisle, chairman of the festival committee.

Please look at that document and see if you cannot attest to its authenticity.

(Document marked "Exhibit No. 467," see appendix, p. 7901.)

(The witness confers with his counsel.)

Mr. CARLISLE. I refuse to answer on the same grounds, Mr. Chairman, invoking the constitutional privileges.

Mr. ARENS. Who are the Terminal Island Four? Do you know?

(The witness confers with his counsel.)

Mr. CARLISLE. I would like to know what relevance this has to the hearing.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. You have heard the question. Do you have any knowledge of the—

Mr. CARLISLE. May I ask a question, Mr. Chairman?

Mr. DOYLE. Yes.

Mr. CARLISLE. Could you explain what relevancy this has to this hearing?

Mr. ARENS. Determination of relevance is not for you to make, Mr. Witness.

Mr. DOYLE. I do not happen to know the details of it, Mr. Carlisle.

Mr. CARLISLE. That is, of course, my puzzlement, too, Mr. Chairman. I have been involved in proceedings. They are now before a Federal court. And there are many proceedings in Federal courts that affect my status. And I think that this is a proper place—

Mr. ARENS. What kind of status?

Mr. BROCK. Just a moment. I don't think he should be interrupted.

Mr. ARENS. Counsel, you know your sole and exclusive prerogative is to advise your client.

Mr. BROCK. Try to exercise a little courtesy.

Mr. ARENS. We exercise twice the courtesy we receive.

Mr. BROCK. The question, please, Mr. Doyle?

Mr. DOYLE. The question is about the Terminal Island Four.

Mr. BROCK. He was trying to complete an answer.

Mr. ARENS. The question is simply if he could tell us who the Terminal Island Four are.

(The witness confers with his counsel.)

Mr. CARLISLE. I see in this question a certain danger and invasion of certain rights, certain possible deductions, conclusions—perhaps already arrived at—by this committee.

I will stand—I will refuse to answer this question on the grounds of the first and fifth amendments.

Mr. ARENS. Now we lay before you a photostatic copy of the Communist Daily People's World of Friday, July 6, 1951:

Oleta O'Connor Yates, Communist leader, and Harry Carlisle, one of the Terminal Island Four, will share speaking honors at a rally to be held here next Friday, July 13, under sponsorship of the Civil Rights Congress.

and so forth.

Kindly look at this document and tell us whether or not it is a true and correct representation of the facts.

(Document marked "Exhibit No. 468," see appendix, p. 7902.)

Mr. CARLISLE. I would like to save you the time, Mr. Arens.

I will refuse to identify this document on the same grounds as previously stated.

Mr. ARENS. Now we invite your attention to still another document, the Communist Daily People's World of March 24, 1948.

With reference to a California Labor School, it says the instructors and guest lecturers will include, among others, Harry Carlisle, author.

Please look at this document and tell us whether or not that is a true and correct representation of the facts.

(Document marked "Exhibit No. 469," see appendix, p. 7902.)

Mr. CARLISLE. I really don't need to look at that, Mr. Chairman.

I am going to answer all such questions, which are involved in matters which concern me in the courts, with the same answer, invoking the constitutional privileges of the first and fifth amendments.

Mr. DOYLE. Very well.

Mr. ARENS. What is the Western Writers' Congress? Can you tell us?

Mr. CARLISLE. Is this a question addressed to me?

Mr. ARENS. Yes.

Mr. CARLISLE. The way you announced it I thought it was a rhetorical question.

If the question is addressed to me, I will answer by invoking the privileges of the first and fifth amendments.

Mr. ARENS. I lay before you a Communist Daily Worker article with reference to a writers congress. And it says here that Harry Carlisle is executive secretary of this Western Writers' Congress.

Please look at that and see if that is a true, correct, and authentic representation of facts.

(Document marked "Exhibit No. 470," see appendix, p. 7902.)

Mr. CARLISLE. The same answer, Mr. Chairman.

I am not going to identify any of these documents for the reasons stated both by counsel and by myself. To protect myself against any possible coercive action that this committee might tend to inflict upon me, I will then invoke the first and fifth amendments.

Mr. ARENS. Now I want to lay before you another document. It is an original Bulletin of the League of American Writers.

According to this document, the League of American Writers increased in size during the year 1937-38. Due to the efforts of Harry Carlisle a number of active chapters were established in various parts of the United States.

Please look at that document and tell us whether or not that truly and accurately represents the facts.

(Document marked "Exhibit No. 471," see appendix, pp. 7903, 7904.)

Mr. CARLISLE. The same answer, Mr. Chairman.

But I would like to supplement this by saying that at no time have I ever been ashamed of anything I have written or spoken or acted as a writer in any shape or form whatsoever.

Mr. ARENS. And have you been ashamed of any membership in the Communist Party?

Mr. BROCK. Let him finish the answer.

Mr. ARENS. Counsel, you are advised your sole and exclusive prerogatives are to advise your client.

Mr. CARLISLE. The same discourtesy. I didn't interrupt Mr. Arens, but he consistently is interrupting me. It is a simple enough matter to let me finish my answer, don't you think?

Mr. ARENS. Go right ahead. Tell us all about what you have done that you are proud of, including anything you have done in the Communist Party.

Mr. CARLISLE. Yes, because the implication in your questions, Mr. Arens, is that one should be ashamed, and all these things, that somehow or other they impute guilt. I say if this is so the courts will decide this matter and not you.

And, therefore, I invoke, with regard to all these questions, the first and fifth amendments as a protection of my rights.

Mr. ARENS. Do you know a person by the name of Anita Schneider?

Mr. CARLISLE. The same answer for the same reasons.

Mr. ARENS. Mrs. Anita Schneider has identified you as a member of the Communist conspiracy. Was she lying or telling the truth?

Mr. CARLISLE. Well, the same answer for the same reason.

This is a form of entrapment, Mr. Chairman.

Mr. ARENS. Just a form of trying to learn the truth.

Now, Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, do you have any questions?

Mr. SCHERER. Mr. Chairman, for the moment I have no questions of this witness. But I would like to ask him to be continued under subpoena because I may want to ask that he be recalled for a few questions later.

Mr. BROCK. I don't object, sir. But I have already told Mr. Wheeler that I have planned to leave town Friday evening. If you can get to him, I would appreciate it. I have to be away Friday and Saturday.

Mr. SCHERER. We may get to him today.

Mr. BROCK. All right. He will be here.

Mr. ARENS. Lillian Doran, kindly come forward.

Mr. JOHN W. PORTER. Mr. Arens apparently pays no attention to his script whatsoever, Mr. Chairman.

Mr. ARENS. You go ahead and condemn me some more. I get so I enjoy it from you fellows. It sort of makes me feel good to be attacked time and time again by members of the Communist Party.

Mr. PORTER. Mr. Arens told me this morning that Mrs. Doran would not be called until Friday afternoon. I was foolish enough to rely upon his statement.

Mr. ARENS. Mr. Chairman, I would say that he gave me the names of a number of people whom he represented. I think he represented, he said, about 8 or 10 of them. And we called off a list back and forth, and those that were scheduled for tomorrow we said we would not call today.

I do not have listed here that Mr. Porter represented this witness.

If this is one of the witnesses he represents and she is scheduled tomorrow, he is eminently correct. I am very glad to felicitate him on his accuracy.

Mr. PORTER. I wish I could reciprocate.

Mr. ARENS. Do you represent David Hyun?

Mr. PORTER. I do, and the situation is the same with respect to him. Would you like me to give you the list?

Mr. ARENS. You did. You got me out of bed this morning and gave it to me.

Mr. PORTER. That is such a shame.

Mr. Chairman, Mr. David Hyun is represented also by Mr. Anthony Randles, who tells me he cannot be here tomorrow.

If the committee desires to call Mr. Hyun now, that is agreeable with counsel.

Mr. ARENS. We are very happy to accommodate you, counsel.

Mr. DOYLE. When do you want him? Now?

Mr. ARENS. If you please, Mr. Chairman. Right now.

Mr. DOYLE. Mr. Porter, we will call Mr. Hyun now to accommodate counsel.

Mr. Hyun, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HYUN. I do.

Mr. DOYLE. Take the witness chair, please.

**TESTIMONY OF DAVID HYUN, ACCOMPANIED BY COUNSEL,
ANTHONY V. RANDLES AND JOHN W. PORTER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HYUN. My name is David Hyun. The address is 3540 Dahlia Avenue. My occupation is architect.

Mr. ARENS. And where are you employed as an architect, please, sir?

Mr. HYUN. I am self-employed.

Mr. ARENS. Where?

Mr. HYUN. In Los Angeles.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HYUN. I was compelled to attend this hearing by the force of the subpoena.

Mr. ARENS. And you are represented by counsel?

Mr. HYUN. I am.

Mr. ARENS. Counsel, will you kindly identify yourselves?

Mr. RANDLES. Anthony V. Randles, Los Angeles.

Mr. PORTER. John W. Porter, Los Angeles.

Mr. ARENS. Would you help me to pronounce your name, Hyun?

Mr. HYUN. Hyun. It is Hyun.

Mr. ARENS. Mr. Hyun, where were you born?

Mr. HYUN. The pronunciation of my name kind of startled me.

Mr. ARENS. I am sorry. I meant to pronounce it accurately. Where were you born, Mr. Hyun?

(The witness confers with his counsel.)

Mr. HYUN. I was born in Korea. Mr. Chairman, may I make a statement at this point?

Mr. DOYLE. If it is very brief and pertinent.

Mr. HYUN. I think that I originally intended to say very, very little. But the conduct of your counsel—

Mr. DOYLE. No.

Mr. HYUN. Then I won't because I did select my counsel on the basis of their experience and so on.

Mr. DOYLE. That is right.

Mr. HYUN. And I feel that what has transpired has prejudiced my position here.

Mr. DOYLE. No.

Mr. HYUN. I do wish to say that I have a position with regard to hearings of this nature, especially because of my Korean origin.

I left Korea as an infant, and have been raised in this country since childhood, and I have come to believe that the struggles of the Korean people for independence was very, very akin to the struggles of the American people for their independence, and for which reason I prize the constitutional democracy of this country. And, therefore, I believe that, in my opinion, when acts are undertaken to trespass against the rights of freedom of speech and press and assembly it is very similar to what happened in Korea where they passed laws prohibiting—

Mr. DOYLE. Now, Mr. Hyun, I am sure you recognize that I have been glad to let you take a few minutes to make part of your statement or all of your statement. I did so, because I had the experience of being in Korea myself during the war. Also I am quite sure that I had the experience of meeting some other Korean citizens over there by the name of Hyun, a very extensive family in Korea. But let's get on now to the purpose of this hearing.

Mr. HYUN. I just have a few more words.

Mr. DOYLE. You have made yourself clear on that, I think.

Mr. ARENS. On the Korea situation, which side were you on when we had our boys fighting in Korea?

Mr. HYUN. May I complete my previous statement?

(The witness confers with his counsel.)

Mr. HYUN. Because it only takes a few minutes. The thought I want to make was that during the struggle for independence the Korean people were compelled by law not to use their own language and certain things which they did not like. And then, later, they had laws prohibiting them from acting against those laws which they did not like. And, after that, they had thought police preventing them from even thinking about acting against those laws.

Mr. ARENS. After that they had the North Korean Communists invade South Korea. Which side were you on when that happened?

Mr. HYUN. For that reason, I believe that any laws which deal with freedom of association and so on are very dangerous to continued democracy of our country.

Mr. ARENS. About Korea, let's get back to Korea just a moment.

When our boys were fighting and dying with their hands tied behind their backs, being mowed down by the Communist traitors over there, being shot by the North Koreans, which side were you on?

Which side were you on in this Korean battle?

Mr. HYUN. In view of my previously stated feelings, I think it would be improper for me and hypocritical of me to accommodate and answer to such questions because then I would be saying that the committee has a right to inquire as to my opinions.

Mr. SCHERER. Just a minute. I ask that you direct the witness to answer the question. He has opened the door by that long speech on Korea and his position, and he cannot any longer invoke the fifth amendment because he has waived his privilege.

So I think he must answer the question of counsel in this case. And if he doesn't answer it, and if he does invoke the fifth amendment, he is obviously guilty of contempt.

(The witness confers with his counsel.)

Mr. SCHERER. That is as plain as the nose on your face.

Mr. HYUN. I believe that—

Mr. SCHERER. We didn't ask him to make the speech.

Mr. DOYLE. I instruct you to answer. I think when you made that voluntary statement, as you did, with a good deal of pride in your Korean birth and the fact that you came to this country and you have been raised in this country and then volunteered your attitude as a former Korean child that you submit yourself, I believe, to this as an appropriate question.

Mr. HYUN. Mr. Chairman, you will recall also that I was not permitted to complete that statement inasmuch as that, I believe that, because of this upbringing, I feel I cannot testify in regard to opinions and associations and that sort of thing before this committee.

Mr. DOYLE. We are not asking you your opinion. We are asking you which side of the fight you were on.

Were you on the Communist side from North Korea or did you defend the United Nations side and South Korea?

(The witness confers with his counsel.)

Mr. DOYLE. I think that is an important thing for the American people to know in view of your rather evident desire to let us know of your Korean birth and your American citizenship.

Mr. HYUN. No. I believe I said that in order to express the basis for my pride as an American.

Mr. DOYLE. Yes. Well, we would be proud to know which side of the fight you were on. Were you with the United Nations against the North Korean Commies or were you with the North Korean Commies?

That might explain your relationship to the United States a good deal.

Mr. HYUN. I believe that I do not want to dignify—accommodate such a question, but I will express a general opinion that at no time have I acted against the interests of the United States which is the country I have adopted, and I have at all times sincerely acted for the interests of this country.

Mr. ARENS. Let's just test that a moment.

Mr. HYUN. That is my opinion.

Mr. ARENS. Were you at any time a member of the Communist conspiracy?

Just tell us that. That will help us a little bit on this point of whether or not you have been working in the interest of this country. Have you ever been a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. HYUN. I will refuse to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a person by the name of Anita Schneider?

Mr. HYUN. Same answer.

Mr. ARENS. She has identified you as a person who, to her certain knowledge, was a member of the Communist conspiracy. Was she lying or was she telling the truth?

Mr. HYUN. Same answer.

Mr. ARENS. Now we would like to have you help your government in view of your professed loyalty and patriotism.

We see from a letter on the Los Angeles Committee for Protection of Foreign Born letterhead, that one of the individuals who signs this letter asking everyone to defend the Bill of Rights and attacking legislation designed to protect the security of this country is one David H-y-u-n, chairman of the organizing committee. Look at that letter while you are under oath and tell this committee whether or not that is your signature?

(Document marked "Exhibit No. 472," see appendix, p. 7905.)

Mr. HYUN. Mr. Chairman, I believe there were two questions asked.

Mr. ARENS. No, there is only one question. Are you he?

Mr. HYUN. Oh. He asked me if I wanted to be a patriotic American.

Mr. ARENS. If you are a patriotic American, while you are under oath deny you are a member of the Communist Party.

Mr. HYUN. I understand that is another question.

(The witness confers with his counsel.)

Mr. DOYLE. I understand the question. So save your time and ours by answering it.

(The witness confers with his counsel.)

Mr. ARENS. The outstanding question is: Please identify your signature on that letter.

Mr. HYUN. Mr. Chairman, I thought it was obvious I was consulting with counsel. May I have permission to consult with counsel?

Mr. ARENS. Certainly. Consult with the two of them.

Mr. DOYLE. Proceed, Mr. Hyun.

(The witness confers with his counsel.)

Mr. HYUN. I refuse to answer the question on the same previous grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness affixes his signature to a voucher for his per diem and transportation expense as a witness, that part of the voucher on which his signature appears be incorporated in the body of the record for comparison of signatures.¹

(Document marked "Exhibit No. 473" for identification purposes.)¹

Mr. ARENS. We display to you now, Mr. Witness, if you please, still another document of the Sixth Annual Conference To Repeal the Walter-McCarran Law and Defend Its Victims: "Dear Brother and Sister:"

It is a call to a conference telling all about the cold war, all about what Abner Green is doing and Russ Nixon is doing, calling upon the recipient to join in a big conference on this subject matter. And signed by Conference Chairman David Hyun, H-y-u-n.

Please look at that one and tell us if you can verify the authenticity of that document.

(Document marked "Exhibit No. 474a, b," see appendix, pp. 7906, 7907.)

(The witness examines document and confers with his counsel.)

Mr. HYUN. I refuse to answer that question on the same previous grounds.

Mr. ARENS. We have several documents of the Los Angeles Committee for Protection of Foreign Born calling upon the brothers and sisters who receive the documents to do all kinds of things: write to the Attorney General, solicit other people to take action on various legislative enactments, and mail contributions to the Los Angeles Committee.

¹ Signed voucher not returned at date of printing of testimony.

Please look at these documents and see if you can help your Government now by verifying the authenticity of those documents.

(Documents marked "Exhibit No. 475a, b," see appendix, pp. 7908, 7909.)

(The witness examines documents.)

Mr. HYUN. Do I answer you directly or Mr. Doyle?

Mr. ARENS. Just answer, if you please.

Mr. HYUN. I refuse to answer that question on the same previous grounds.

Mr. ARENS. Now we want to lay before you a summary of a keynote speech by yourself at the Terminal Island conference organizing committee.

Look at this document and help the Committee on Un-American Activities rout subversives by verifying the authenticity of that document, if you please, sir.

Mr. HYUN. Same answer.

Mr. ARENS. Mr. Appell of our staff is going to lay before you another series of documents with reference to various panels, various conferences, of the Los Angeles Committee for Protection of Foreign Born and related organizations on legislative matters in which your name appears.

Please look at these documents and see if you can verify their authenticity.

(Documents marked "Exhibit No. 476a-d," see appendix, pp. 7910-7913.)

(The witness examines documents.)

Mr. HYUN. I submit the same answer to these documents.

Mr. ARENS. Here is a document I want to describe and maybe it might throw a little light on the chairman's preceding questions.

It is a picture of a man. According to this document, it is David H-y-u-n. A quotation on this document reads:

I will say unqualifiedly that David Hyun would be executed by the South Korean Government if he is deported.

And we see here a call to action for people to rally to the support of this man who is up for deportation. They are urged to write friends and neighbors and others, all on behalf of this man who, before us today, masks himself in an aura of patriotism.

Look at that document and tell this committee whether or not you are the man who would be shot if you were sent to South Korea.

(Document marked "Exhibit No. 477a, b," see appendix, pp. 7914, 7915.)

Mr. HYUN. I refuse to answer that question on the previous grounds.

Mr. ARENS. I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. May I see that, please, Mr. Reporter.

(Document handed to the chairman.)

Mr. DOYLE. That certainly appears to be your picture, David Hyun. There is no question about it in my judgment. It is a picture of you.

Mr. ARENS. Mr. Chairman, in view of the fact that the lawyer, Robert L. Brock, in the company of a preceding witness, made a very damaging comment with respect to myself, that I was a liar for suggesting, by a question to his client, that he might be a member of the Communist Party, I respectfully—

Mr. DOYLE. Wait a minute.

Is Mr. Brock in the room?

Mr. BROCK. I certainly am. I might point out you served a subpoena on me with the signature of Mr. Walter, who I understand is not here. I am not raising the point because I will appear under the subpoena.

I think it is typical of the committee's conduct.

Mr. ARENS. I just want the record clear that he is expected here.

Mr. BROCK. I would like to add this: I am sorry. I don't mean to be rude. I have one other client. I would like to get him on before I am harassed by Mr. Arens.

Mr. ARENS. No harassment. I will just ask you a question or two.

Mr. BROCK. All right.

Mr. DOYLE. I stated a few minutes ago I was in Korea several days during the war, and I acquired a certain affection for the Koreans over there in South Korea who were fighting against the butchering from the Communists in North Korea and China.

And this says, in part:

Who is David Hyun?

A respected long-time resident of Los Angeles, David Hyun has a community-wide reputation as an architect. Raised and schooled in America, he earned a bachelor of science degree at college—

and so forth.

Well, it probably wouldn't be fair for me to read more of this because Mr. Hyun wouldn't have the time or desire to explain it.

But I remember now I have seen this sort of literature before involving you. I have received quite a volume of such literature about you. And I would think, sir, and I would suggest that you might find a lot of happiness and satisfaction, in view of the fact that you have been identified as a Communist before this committee, as you well know, I would think that you as a Korean-born American citizen would find a lot of pride and a lot of satisfaction in helping your own United States Congress on the Communist problem.

Mr. HYUN. Is this a question?

Mr. DOYLE. No. It is just my statement. I feel I should make it as I know a good deal about you, I think. More than you know I know.

Mr. HYUN. I believe that I am acting to all the best interests of this country.

Mr. DOYLE. And I would think that you ought to clear up the situation of whether you were a member of the Communist Party or are now, in view of the fact that there is sworn testimony before your United States Congress, represented by this committee, that you are or were a member of the Communist Party.

This bulletin states that you would have been executed and killed, if you were deported back to South Korea.

Now it just seems to me that the American public would be glad to have you explain why you would have been executed by the South Koreans if you would have been deported from the United States and forcibly sent back there.

(The witness confers with his counsel.)

Mr. DOYLE. If you weren't a Communist at that time and weren't known to South Korea and Syngman Rhee as a Communist, why would he have executed you?

Mr. HYUN. Sir, may I speak? Give my opinions on that?

Mr. DOYLE. Yes.

Mr. HYUN. I believe that the affidavits and the ruling made on testimony by very many prominent Americans in very high position on this matter is sufficient for itself. And it has been considered and action has been taken, and I think it speaks for itself.

Mr. DOYLE. Yes; but why don't you speak for yourself? That is what I am asking you. Why don't you speak up for yourself? Why do you rely on hearsay? Why don't you speak up for yourself, sir?

Mr. HYUN. The reason—— I am defending the Constitution, in my way.

Perhaps we have a difference of opinion, but that is my—I believe that I am defending the Constitution and the right to freedom of association and belief.

Mr. ARENS. Mr. Chairman, I wonder if this witness would like to know that the very McCarran-Walter Act which he has dedicated himself to destroy, pursuant to these various exhibits, contains, for the first time in the history of this Nation, a provision which is the very provision which saves his life: namely, that a person, by law, cannot be deported to a country in which he would be subjected to physical persecution.

Mr. DOYLE. That is right.

Mr. ARENS. In other words, this McCarran-Walter Act, which he so vigorously attacks because it is tough on Communists, had it not been enacted this man would have been deported to Korea and would probably have been shot.

Mr. DOYLE. I suggest, David Hyun, that, in my judgment as a fellow American, it sort of obligates you to speak up for yourself and not rely on the affidavits of other people as to your good conduct.

You know what you were better than they do. You are the only one who knows as well as you do what you have been.

You claim to support the Constitution of the United States. This committee is here under the Constitution of the United States as declared by the United States Congress. Why don't you come clean on your own right and speak up for yourself?

Mr. HYUN. I am attempting to be as clean as I can by the position I have taken. I have not qualified my position. And I believe that is the most principal position I can take toward support of the Constitution.

Mr. DOYLE. Let me ask you now, in view of the fact that I have maybe imposed a little on you—I don't mean this as a lecture, but, as I say, I have a good deal of affection for the southern Korean, with whom I lived and sort of fought for a few days.

Are you now a member of the Communist Party?

Mr. HYUN. Are you directing that question?

Mr. DOYLE. Yes, I am.

Mr. HYUN. I refuse to answer that question on the same previous grounds.

Mr. DOYLE. Were you a member of the Communist Party in the United States at the time you had the supporting affidavits furnished in your behalf?

Mr. HYUN. I refuse to answer the question on the same previous grounds.

Mr. DOYLE. I am not very proud of you.

Any questions, Mr. Scherer?

Mr. SCHERER. No questions.

Mr. RANGLES. Is the witness excused?

Mr. DOYLE. The witness is excused.

Mr. SCHERER. Mr. Chairman, there was a controversy a few moments ago in which Mr. Brock, attorney appearing on behalf of a witness—

Mr. BROCK. I have been subpoenaed for tomorrow. Can I suggest this be put over? It is a little theatrical now.

Can Mr. Carlisle be excused?

Mr. DOYLE. No.

The subpoena was continued until later today. This is a matter which I think should at least begin to be settled tonight.

Mr. BROCK. You have subpoenaed me for 10 o'clock tomorrow.

Mr. SCHERER. All right, we will call you tomorrow.

Mr. BROCK. I have told you, even though Mr. Walter was not here to sign the subpoena, I am going to honor it.

Mr. DOYLE. Do you want Mr. Carlisle here tomorrow morning?

Mr. SCHERER. I don't care.

Mr. DOYLE. Thank you, Mr. Brock.

Mr. BROCK. Is Mr. Carlisle excused?

Mr. SCHERER. Yes.

Mr. DOYLE. We will call you promptly at 10.

Mr. BROCK. I had arranged with Mr. Wheeler to have my other client on first.

Mr. SCHERER. We may not even need to call you after I read your previous testimony, because it is here.

Mr. BROCK. You can do as you choose.

Mr. SCHERER. Just a minute. I hadn't finished.

As I was saying, Attorney Brock, Robert L. Brock, accused counsel for this committee of being a liar.

Robert L. Brock was called before this committee on July 2, 1955, a little over a year ago. I think the pertinent part of his testimony, Mr. Chairman—and I so move—should be incorporated in the record.

Mr. BROCK. I have no objection.

Mr. DOYLE. So ordered.

Mr. SCHERER. I want to read the questions and answers that settle the matter.

Mr. BROCK. May I ask if counsel is going to read it all? It is a little unfair to single out one question.

Mr. ARENS. Do you want to be submitted to an oath now? And we will get it settled.

Mr. BROCK. I am subpoenaed for tomorrow.

Mr. SCHERER. I have the floor. If Mr. Brock does not desist I am going to ask that the marshal escort him from the room.

Mr. BROCK. I appreciate your concern, Mr. Scherer.

Mr. Doyle, you have tried to be fair in this hearing. Fairness requires that if he reads part he read all. This is a basic rule of law in any civilized community.

Mr. SCHERER. I have just asked—

Mr. DOYLE. Wait a minute, Mr. Scherer. Of course, Mr. Brock, cases are continued from time to time to complete the testimony and the evidence. And I would think—I don't know what the text is that he is going to read, but I would think that it might not be to your disadvantage to hear what he will read.

Mr. BROCK. I would be happy to read it all.

Mr. DOYLE. You are to be here to testify tomorrow morning.

Mr. BROCK. I am sorry to interrupt. All I ask is if he reads part he read it all; not just one thing they can make a little story out of. Just read it all.

Mr. SCHERER. I will let the press judge for itself. I have asked, Mr. Chairman, and I think you have agreed.

Mr. DOYLE. That is right.

Mr. SCHERER. It would take about 25 minutes to read it all when we only need to read several questions and answers.

Mr. Tavenner asked the question [reading]:

Mr. TAVENNER. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BROCK. I am not.

* * * * *

Mr. SCHERER. Were you a member of the Communist Party yesterday?

That was the day before he testified.

Mr. BROCK. My answer will be the same to that as I have just indicated to Mr. Tavenner, Mr. Scherer.

Mr. SCHERER. You mean you are refusing to answer on the basis of the fifth amendment?

Mr. BROCK. I am refusing to answer that question on the grounds as follows: First, that this committee is violating my natural rights; second, the committee is not pursuing its proper legislative purpose; thirdly, on the grounds that I have rights not to answer as to my associations under the first amendment; and, fourthly, the first amendment supplemented by the fifth amendment, in that I do not choose to be a witness against myself.

So it was plain that this witness did deny being a member of the Communist Party on the day he was before this committee; namely, July 2, 1955. But when I asked him whether he was a member of the Communist Party the day before he invoked the fifth amendment.

That settles it. All of the testimony is there.

Mr. BROCK. Mr. Chairman, what does it weigh? You know you can draw no inference from that testimony. I defy you to do it.

Mr. SCHERER. Just let me answer it and settle the fact. It settles the fact that when you were asked whether you were a member of the Communist Party you invoked the fifth amendment.

Mr. BROCK. All right.

Mr. SCHERER. That is what it settles. That is what our counsel said, that you invoked the fifth amendment. Obviously you conveniently resigned the day before you were called as a witness.

Mr. BROCK. That is untrue. And you know it is untrue.

Mr. DOYLE. As I understand it—and then we will drop the subject until tomorrow—as I remember it, substantially, Mr. Arens' question this afternoon, or statement, was that you, Mr. Brock, had pleaded the first and fifth amendments when you were asked whether or not you were a Communist, and you called him a liar.

Mr. BROCK. No, Mr. Doyle. If you are asking me, I will be glad to tell you what it was.

Mr. ARENS. I respectfully suggest that if counsel is going to engage in colloquy he submit himself to an oath and we will get the matter settled in 30 seconds.

Mr. BROCK. I am being addressed by the chairman.

Mr. SCHERER. I move we adjourn.

Mr. DOYLE. You will be here at 10 o'clock tomorrow?

Mr. BROCK. I certainly will.

(Whereupon, at 5:15 p. m., Thursday, December 6, the committee was recessed, to be reconvened at 9:15 a. m., Friday, December 7, 1956. Committee members present: Representatives Doyle and Scherer.)

COMMUNIST POLITICAL SUBVERSION

FRIDAY, DECEMBER 7, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES.
Los Angeles, Calif.

PUBLIC HEARING

The subcommittee met, pursuant to recess, at 9:25 a. m., in room 514, the Federal Building, Los Angeles, Calif., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, of California; Harold H. Velde, of Illinois; and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director; William A. Wheeler and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. DOYLE. The subcommittee will please come to order.

Of course, we will receive the same fine cooperation we had yesterday from the guests in the hearing room in the way of not making any outbursts either of approval or disapproval. My order still stands today to the marshal that, without further order from me, if he observes any demonstrations of approval or disapproval, to please remove that person from the room instantly and not let them return.

There is no smoking, of course, in the room, by order of the marshal. The room is filled with people, and we know that everyone will cooperate.

Are you ready, Mr. Arens?

Mr. ARENS. Yes, sir.

Mr. DOYLE. I think, if the committee please, as we begin our hearing this morning, I should report that on December 4, I sent this telegram to the Department of Justice in Washington:

Department of Justice: For my purpose as chairman, Subcommittee House Un-American Activities Subcommittee Los Angeles hearings December 6 and 7, please inform me immediately the number during the 3 preceding years just ending of jury and nonjury trials under the Smith Act with result as to number of defendants found guilty and number not guilty. Also number of cases now pending and with number of defendants involved. Thanks for prompt cooperation.

I haven't read this reply yet. But here is the reply to this telegram, which came to my desk here a few minutes ago.

WASHINGTON, D. C., December 6, 1956.

HON. CLYDE DOYLE,

Subcommittee House Un-American Activities Committee, Federal Building, Los Angeles:

The following statistics on internal security prosecutions covering period 1953 to date furnished pursuant to telegraphic request: advocating overthrow of

United States Government in violation of Smith Act, 72 convictions, 10 acquittals, 10 cases pending involving 30 defendants. Seditious conspiracy, 27 convictions, 1 acquittal. Espionage, 1 guilty plea. Conspiracy to commit espionage, 2 guilty pleas. Theft of Government property, 1 guilty plea, case involving 1 defendant pending. Conspiracy to remove Government document, 3 guilty pleas. Sedition and conspiracy to violate sedition statute, case against 3 defendants pending. Atomic Energy Act, 1 guilty plea, 1 nolo contendere plea, 1 case pending. Trading With Enemy Act, 2 convictions, 4 guilty pleas, 1 acquittal, 1 dismissal of indictment, case involving 1 individual pending. Conspiracy to violate Neutrality Act, 3 nolo contendere pleas, 2 convictions, 2 guilty pleas, 2 dismissals of indictments, 5 acquittals, 3 pending trial. False statements and perjury, including false statements under Taft-Hartley Act, 41 convictions, 6 acquittals, 11 dismissals, cases against 8 individuals pending. Conspiracy, perjury and obstructions of justice, 1 indictment involving 3 defendants pending trial. Obstruction of justice, 1 individual awaiting trial. Conspiracy to file false non-Communist affidavits, 1 indictment naming 2 defendants awaiting trial, 1 dismissal.

Foreign Agents Registration Act, trial of 10 defendants pending. Conspiracy to defraud the Government by filing false non-Communist affidavits, 14 defendants awaiting trial. These statistics relate only to criminal prosecutions and not to proceedings before administrative boards such as Subversive Activities Control Board. Information being sent in this form because of urgency of your request which did not specify type of violation but assume you refer to internal-security prosecutions. Stop. If more detailed information desired please advise.

(Signed) WILLIAM P. ROGERS,
Deputy Attorney General, Department of Justice.

I thought, if the committee please, that, in view of the fact that we are in the Los Angeles Federal Building where the Federal courts are located in this portion of our great State, it might be appropriate for me to read one paragraph from the decision by a very distinguished United States district court judge, Judge Leon R. Yankwich, in the case of *United States of America, plaintiff, v. Sam Title*.

This decision was given as late as June 8, 1955.

I just want to read one paragraph, which I think is very apropos in light of the use yesterday of some of the witnesses, or attempted use, of this as a forum to have it appear as something light that we are doing and not important, and interfering with their rights.

This decision by Judge Yankwich, page 193 thereof, reads as follows:

We have already referred to the fact that the Communist Party of the United States and the local branch to which the defendant belonged adopted the gloss which Lenin, Stalin, and the Communist International placed on Marxist teachings. The literature in the record shows that American Communist conventions and American Communist writers pointed not only to these teachings as correct, but to the practice embodied in the Russian Revolution and the Communist dictatorship enthroned by it as the "way out." The following brief quotations will suffice:

"The experience of the victorious workers of the Soviet Union before, during and after the seizure of power, throw a brilliant light showing the path which must be followed in every land, the path of Bolshevism, of Marx, Engels, Lenin, and Stalin."

Now that is what we are dealing with in these hearings. Let me make it crystal clear that is what we are dealing with in these hearings. Nothing less. That is the purpose of this committee here. And the defining by this distinguished Federal judge, right in this building, in this case, involving a Communist, a proven Communist, I thought was very apropos.

Let's proceed, Mr. Arens.

Mr. ARENS. Mrs. Anita Schneider, kindly assume the witness chair.

Mr. DOYLE. I think you were sworn yesterday.

Mrs. SCHNEIDER. Yes; I was.

TESTIMONY OF ANITA SCHNEIDER—Resumed

Mr. ARENS. Mrs. Schneider, for the sake of clarity and continuity of the record today, may I ask you, first of all, have you been sworn on this record?

Mrs. SCHNEIDER. Yes; I have.

Mr. ARENS. And you have identified yourself on this record as one who served your Government during the course of several years at the behest of the Federal Bureau of Investigation as an undercover agent in the Communist Party; is that correct?

Mrs. SCHNEIDER. That is correct.

Mr. ARENS. For clarity in this record today, please tell the committee where you served in the Communist Party at the behest of the Federal Bureau of Investigation and over what period of time you performed this service.

Mrs. SCHNEIDER. This was in San Diego, Calif., from the spring of 1951 until January 1955.

Mr. ARENS. Mrs. Schneider, you have in the past testified before this committee on certain other subject matters within the purview of the committee's interest; have you not?

Mrs. SCHNEIDER. Yes; I have.

Mr. ARENS. As you know, this series of hearings which the committee is conducting is with reference to the Communist Party's political subversion. In other words, the efforts of the Communist conspiracy via numerous front groups to influence public opinion against anti-Communist legislative and executive programs.

You are aware of that interest of the committee, are you not?

Mrs. SCHNEIDER. Certainly.

Mr. DOYLE. Mr. Counsel, may I correct an omission on my part.

I neglected to have the record show before this witness took the chair that the full personnel of the subcommittee is here: Mr. Velde, of Illinois; Mr. Scherer, of Ohio, and myself, from California.

May the record also show since the committee started this morning the full committee was present.

Mr. ARENS. I should like to ask you if at any time during your experience in the Communist Party as an undercover agent at the behest of the Federal Bureau of Investigation, did you have any contact with Abner Green, executive secretary of the American Committee for Protection of Foreign Born?

Mrs. SCHNEIDER. Yes, I did.

Mr. ARENS. Tell us about that in your own words.

Mrs. SCHNEIDER. I remember that he spoke for a meeting of the International Workers Organization in San Diego in October 1952.

He came to San Diego in order to start a Committee for Protection of Foreign Born in that area.

Mr. ARENS. Do you recall what he said and what his proposals were?

Mrs. SCHNEIDER. He described the work for the protection of foreign born in San Diego. We have a large Mexican population. He emphasized the need particularly of the committee for protection of

foreign born there. And it appealed to people who were attending the meeting to start such a committee.

Mr. ARENS. It is almost like asking if the sun ever shines in California for me to ask you if Abner Green is a hard-core member of the Communist Party.

Mrs. SCHNEIDER. Yes, he is.

Mr. ARENS. And you knew him as such?

Mrs. SCHNEIDER. Yes, sir.

Mr. ARENS. What happened with reference to the proposal of Comrade Green, for a branch of the American Committee for Protection of Foreign Born in San Diego?

Mrs. SCHNEIDER. The local Communist Party members really wanted to start such a committee. It was discussed at our Communist club meetings, at my own Communist club meeting which was composed of Celia Shermis, the head of the Communist Party in San Diego, Verna Langer, the treasurer at that time, and myself. We discussed this.

Mr. ARENS. Would you pause so we are sure we have the names clear in the record. And give us the names again, please.

Mrs. SCHNEIDER. Certainly. Celia Shermis, S-h-e-r-m-i-s, who was the head of the Communist Party in San Diego at that time. And Verna Langer, L-a-n-g-e-r, who was treasurer, I believe, at that time. They were also members of my Communist club group. We discussed starting such a committee at great length, but it was decided that, because of the small number of Communist Party members in San Diego, that we already had as many front organizations as we should, as we could support.

It was decided to carry on the work as a committee of the Civil Rights Congress instead.

Mr. ARENS. Was it to be a subcommittee within the Civil Rights Congress?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. And was the Civil Rights Congress of San Diego controlled by the Communist conspiracy?

Mrs. SCHNEIDER. Yes, it was.

Mr. ARENS. What was the purpose of the formation of this subcommittee as it was evolved by the Communist conspiracy in San Diego?

Mr. SCHNEIDER. The Communist Party at that time was admitting its shortcomings in this particular field. It had neglected to warn members and require members to take out citizenship papers before this act was passed, before the McCarran-Walter Act was passed.

Mr. ARENS. Do you have a recollection of any occasion in which the man whom you identified yesterday as Comrade John Porter participated in any of the work of the Civil Rights subcommittee in opposition to the immigration laws?

Mrs. SCHNEIDER. Yes. John Porter and I had several telephone conversations in the fall of 1951 about the possible deportation of one Communist Party member in San Diego named Carmen Edwards, E-d-w-a-r-d-s.

He asked me to interview her. She had been taken to the local naturalization and immigration office, and questioned.

He asked me to find out as much as I could from her about what they had asked her, submit a report to him through local party channels. This was done.

Mr. DOYLE. You mean that you as a Communist were asked by this John Porter to make a report to him through Communist Party channels?

Mrs. SCHNEIDER. That is correct. It was to be submitted to Miriam Starcevic, S-t-a-r-c-e-v-i-c, who was the Communist Party organizer in charge of the Civil Rights Congress in San Diego.

Mr. DOYLE. Then, by his express direction, as I understand it, you were to report to him through the Communist Party machine in San Diego and not directly to him. Is that correct?

Mrs. SCHNEIDER. That is correct. The first suggestion was that I should bring it to Los Angeles, bring that report to Los Angeles directly to Mr. Porter. But, since Miriam Starcevic, the Communist Party organizer, was coming up to get her directions in Los Angeles, it was submitted through her.

Mr. ARENS. Do you have any recollection of any public sessions of the Civil Rights Congress in which Comrade Porter spoke?

Mrs. SCHNEIDER. Yes. In the late fall of 1954 John Porter came to San Diego to speak at the Civil Rights Congress, primarily against the Brownell-Butler bill. Also against the McCarran-Walter Act.

Mr. ARENS. The Brownell-Butler bill is the bill which was enacted into law and became the Communist Control Act of 1954. Is that correct?

Mrs. SCHNEIDER. That is correct.

Mr. ARENS. That was an anti-Communist piece of legislation, was it not?

Mrs. SCHNEIDER. Yes, sir.

Mr. ARENS. And did you have occasion in the course of your activity in the Communist Party to become acquainted with a person by the name of Jerome Land?

Mrs. SCHNEIDER. Yes, I did.

Mr. ARENS. And can you tell us about him and his activities?

Mrs. SCHNEIDER. Yes. There was a Labor Day dinner at the home of David and Miriam Starcevic, S-t-a-r-c-e-v-i-c, at which Jerome Land and his wife appeared.

This was the first time I had met Mr. Land. He introduced himself to me. He said he had just come to the San Diego area from Phoenix. In Phoenix he had discussed coming to San Diego with Emil Freed, F-r-e-e-d, E-m-i-l—and Tassia Freed, his wife, both of whom are Communist Party members, of course. He was given instructions—I don't know how to spell Tassia. I am sorry. He was given instructions to report in San Diego either to the Starcevic or to me. He said accidentally he reported to the Starcevic first, knowing that we would meet.

Mr. ARENS. Did you know Jerome Land as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Do you here and now identify him as a person who, to your certain knowledge, was a member of the Communist conspiracy?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Was the Walter-McCarran Immigration and Nationality Act the subject of discussion in the legislative program of the Communist cells with which you were connected?

Mrs. SCHNEIDER. Yes, it was.

Mr. ARENS. And what was the tenor of the discussion with reference to the Walter-McCarran Immigration and Nationality Act?

Mrs. SCHNEIDER. We were instructed in our Communist cells to do everything possible that could be done to oppose this act, to repeal—urge its repeal.

Mr. ARENS. Why would the Communist Party be against the Walter-McCarran Act?

Mrs. SCHNEIDER. Well, it opposes everything that communism stands for.

Mr. ARENS. Is it because the Communist Party can't get its agents into the country quite as easily?

Mrs. SCHNEIDER. That is very true.

Mr. ARENS. Is it because under the Walter-McCarran Act there have been instituted several thousand investigations looking toward deportation of alien Communists?

Mrs. SCHNEIDER. That is very true.

Mr. ARENS. And is it also because under the Walter-McCarran Act they have instituted around nine or ten thousand investigations looking toward denaturalization of Communists who have obtained citizenship in the United States?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. What type of program was initiated by the Communist Party to sway public opinion against anti-Communist legislation?

Mrs. SCHNEIDER. Petitions were circulated, leaflets were distributed, speakers were presented to people. We were all urged to write or telegraph the Government to urge its repeal. Routine Communist Party organization.

Mr. ARENS, before we go on, I forgot a couple of more points about John Porter that might be of interest, if you don't plan on coming back to it.

On one occasion also Celia Shermis, who was the head of the Communist Party in San Diego—

Mr. ARENS. Spell her name, please.

Mrs. SCHNEIDER. S-h-e-r-m-i-s—brought me to Los Angeles with her. She was coming on an errand for the Communist Party to consult with John Porter at his offices here in Los Angeles. I came with her at that time and was introduced to Mr. Porter, although I wasn't present during the discussion.

Also my husband is in the Navy. The Communist Party thought that he might be given a dishonorable or security discharge at any time. I was given instructions—

Mr. ARENS. Was all that during the time you were in the party?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. And the authorities didn't know you were serving your Government as an undercover agent for the Federal Bureau of Investigation?

Mrs. SCHNEIDER. That is correct.

Mr. ARENS. Proceed.

Mrs. SCHNEIDER. I was given instructions that Mr. Porter was to be the attorney that I consult immediately. In fact, I should bring my husband to Los Angeles and prepare for that so that we wouldn't be caught by surprise.

Mr. ARENS. While you are getting ready there to glance at those various exhibits, may I just ask you a few questions with reference to the general pattern of the Communist Party activity in the area in which you served your Government?

Is the Communist Party here in the area in which you have intimate knowledge just a few intellectual dupes or is it a serious operation?

Mrs. SCHNEIDER. In my opinion it is the most serious thing that our country has ever faced.

Mr. ARENS. Does it constitute a serious threat to the security of this Nation?

Mrs. SCHNEIDER. A very real, active danger at the present time.

Mr. ARENS. Why?

Mrs. SCHNEIDER. Because, in my opinion, the Communist Party is doing everything it can to actively overthrow our Government right at this time.

Mr. ARENS. And how far into various units of our society has this conspiracy penetrated within the framework of your experience?

Mrs. SCHNEIDER. Into every group. We were ordered to infiltrate every right-led mass organization.

Mr. ARENS. By "right led" you mean a conservative, patriotic group; do you not?

Mrs. SCHNEIDER. Yes, I do. I myself was ordered into two churches to take a Girl Scout troop to promote Communist Party aims. I was ordered into one of the leading political parties. We were ordered to infiltrate PTA groups, we were told, for one reason. We were to influence people. People were not coming to our meetings. So, therefore, we had to go to the meetings where the people were.

Mr. ARENS. To what extent is there a sincerity in the Communist Party protestations of righteousness and of democracy and of defense of the Constitution and all that we have heard before this committee in the last several hours?

Mrs. SCHNEIDER. No, they are not.

To a Communist Party member there is no right and no wrong. There are only the orders that he is given by the Communist Party at any one time. That may change from one day to the next. And their entire activity will center on the instructions that they are given.

Mr. ARENS. In their appearances before various congressional committees, are the comrades given a little briefing before they appear as to what they are to say?

Mrs. SCHNEIDER. They certainly are.

Mr. ARENS. Can you give us any firsthand observations on that?

Mrs. SCHNEIDER. Yes, I can.

On one occasion while I was still in the Communist Party—in April 1954, I believe—the House Un-American Activities Committee had hearings in San Diego. Many of our local Communist Party people had been subpoenaed to appear. One of the attorneys was Mr. Ben Margolis, M-a-r-g-o-l-i-s.

I was given—I was shown a long sheet of nasty remarks that David and Miriam Starcevic were given with orders to memorize them before they went on the witness stand so that, no matter what they were asked, they had a nasty answer to give. And if you will consult the transcript you will see that the nasty answers didn't at all fit the questions. But, no matter what they were asked, they had an answer to give, a nasty one.

Mr. DOYLE. By whom were you shown that list of nasty answers?

Mrs. SCHNEIDER. By David Starcevic.

Mr. ARENS. Did you know him as a Communist?

Mrs. SCHNEIDER. Who is a member of the Communist Party in San Diego.

Mr. ARENS. Spell his name for us, please, Mrs. Schneider.

Mrs. SCHNEIDER. S-t-a-r-c-e-v-i-c.

Mr. ARENS. Is he a lawyer?

Mrs. SCHNEIDER. No, he is not.

Mr. DOYLE. Was that during the hearings of this committee in San Diego where I presided?

Mrs. SCHNEIDER. Yes, it was, Congressman Doyle.

Mr. ARENS. Did you have any experience with our distinguished chairman when you were there in San Diego?

Mrs. SCHNEIDER. Yes, I did.

Mr. ARENS. Could you just take a minute to recount those?

Mrs. SCHNEIDER. Congressman Doyle and the other members of the committee appeared in San Diego. I was 1 of the 2 Communist Party organizers ordered to distribute leaflets in front of the hearing room. Congressman Doyle received one of the leaflets. When he saw the type of leaflet that it was, he stormed to the television camera, showed the leaflet, and demanded to know who had put out that leaflet.

Mr. DOYLE. I wish to state that I did not know at the time I was served with that leaflet that this young lady was an undercover agent of the FBI. I thought she was a bona-fide Commie.

Mr. SCHERER. Pardon me—before we get out of this. They showed you this list. Who was it you said showed you this list of nasty remarks to make?

Mrs. SCHNEIDER. David Starcevic.

Mr. SCHERER. Did he tell you where that list had been prepared?

Mrs. SCHNEIDER. Yes. Yes; he said that Ben Margolis had given him the list to memorize before the hearings went on the next day; that Margolis had come to San Diego the night before, and they had been up most of the night preparing the answers they were going to give the next day.

Mr. ARENS. To what extent does the Communist Party use its friends and sympathizers and dupes to actually pull the chestnuts out of the fire for it and to do party work?

Mrs. SCHNEIDER. On every occasion possible where an outsider can be persuaded to do their work, the Communist Party has them do it.

Mr. ARENS. And why would they do that?

Mrs. SCHNEIDER. Both in order to protect the Communist Party and also to be of more influence. They realize that their own influence in the community is limited.

Mr. ARENS. Now since you have revealed to the world your former service to your Government as an undercover agent for the Federal Bureau of Investigation, have you been subjected to any harassment by the comrades?

Mrs. SCHNEIDER. In the halls here in Los Angeles the last time I came up somebody kicked me in the shins. But, aside from that, the only nastiness they have carried on is I receive repeated telephone calls. I could have my telephone removed, but it is not necessary.

Mr. ARENS. What is the nature of the telephone calls?

Mrs. SCHNEIDER. They merely dial the number, and when the telephone is answered they hang up. It varies 20 or 30 telephone calls during a weekend perhaps.

Mr. ARENS. All these various organizations that we are going to discuss seem to have great humanitarian facades: peace, democracy, defense of foreign born, good will and brotherhood and all that. Are the Communists sincere in their objective in that respect, or are these merely labels behind which a conspiratorial apparatus operates?

Mrs. SCHNEIDER. They are merely labels. The Communist Party takes advantage of people's humanitarian instincts to use them to promote the Communist Party causes.

We were taught, for example, in connection with the outside leadership—we were taught in our organizations, such as the American Peace Crusade, that whenever it is possible we should elect an outsider, someone influential in the community, preferably a minister—but it must be someone who can be controlled—to head the organization.

Mr. ARENS. Who himself would not be a party member?

Mrs. SCHNEIDER. That is quite true. As long as he could be controlled by the organizer, by the Communist Party organizer in charge of that group.

Mr. ARENS. During the course of your experience in the Communist Party did you know Harry Carlisle as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Did you know David Hyun, H-y-u-n, as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Did you know Marguerite Robinson as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Did you know Marva Bovington, M-a-r-v-a B-o-v-i-n-g-d-o-n, as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Did you know Peter Hyun as a Communist? H-y-u-n.

Mrs. SCHNEIDER. Yes. He was my direct superior in the American Peace Crusade.

Mr. ARENS. Now would you just kindly proceed at your own pace to make reference to the various exhibits which Mr. Wheeler will display to you. Tell us any pertinent information you have with respect to the organization mentioned in the exhibit, any knowledge you have respecting the activity of the organization, and whether or not, to your certain knowledge, it is controlled by the Communist conspiracy.

Mrs. SCHNEIDER. The Citizens Committee to Preserve American Freedoms.

Mr. ARENS. For the purpose of keeping our record clear here, would you first allude to the exhibit so that the reporter here will know what exhibit you have in your hand.

In other words, say, "I have in my hand now a document which," and describe it and tell us about it, if that is agreeable with you.

Mrs. SCHNEIDER. Certainly.

I have in my hand now a document with the heading "Citizens Committee To Preserve American Freedoms, Rev. A. A. Heist, Chairman," with a Los Angeles address.

It is an invitation to a public protest mass meeting at the First Unitarian Church here in Los Angeles.

The two outlines, or, rather, the letter and the outline that I have in my hand—Facts and Opinions on the Brownell-Butler Law—were put out by the Citizens Committee To Preserve American Freedoms.

(Documents marked "Exhibit No. 478 and 479," see appendix, pp. 7916-7928.)

Mrs. SCHNEIDER. I had some contact with that committee.

Mr. ARENS. Was it Communist-controlled?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Who was the ringleader in that organization?

Mrs. SCHNEIDER. I didn't work in that organization, and I don't know who the ringleader was. My contact on that occasion was with Frank Wilkinson, I believe.

Mr. ARENS. Did you know him as a Communist?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Have you any further information with reference to those two documents to which you are now alluding?

Mrs. SCHNEIDER. Yes. Mr. Wilkinson asked me to start a similar organization or branch of that organization in the San Diego area. He said that he would give me a list of professional people—teachers, doctors, and lawyers—in the San Diego area, and that I should contact them in an attempt to set up such a committee in San Diego.

I brought up the subject at my next Communist Club meeting with Verna Langer, L-a-n-g-e-r, who was the head of the Communist Party at that time in San Diego. I questioned her on whether it was correct to start it, and the best method of starting it in San Diego. She said it was perfectly all right to try to start it, that she thought that the professional people in San Diego wouldn't respond, that it wouldn't be possible to get one going. I could try it if I wanted.

When I discussed this with Frank Wilkinson in Los Angeles I said that, since I wasn't a professional person at that time, I wasn't active publicly, that perhaps it might be better to have someone else head it.

I suggested Dr. Harry Steinmetz, S-t-e-i-n-m-e-t-z, of San Diego.

Mr. ARENS. Why did you suggest him?

Mrs. SCHNEIDER. He had helped me, or he had started the San Diego Peace Forum in the San Diego area originally.

Mr. ARENS. Was he a Communist or was he just one being used by the Communist Party?

Mrs. SCHNEIDER. He was a Communist.

Frank Wilkinson told me that, although Dr. Steinmetz had come to Los Angeles, he had been a great disappointment to them, that any committee that he organized turned out to be a Harry Steinmetz committee and was not useful to the Communist Party.

Mr. ARENS. What was the purpose of this committee that has such an appealing name, Citizens Committee To Preserve American Freedoms? That is a very appealing name. What was the purpose of that organization?

Mrs. SCHNEIDER. The purpose of it would be to oppose the Brownell-Butler law primarily. To oppose the anti-Communist legislation.

Mr. ARENS. By the Brownell-Butler bill you mean the Communist Control Act of 1954, do you not?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Do you have more exhibits to which you would like to allude?

Mr. DOYLE. May I have those two?

(Documents handed to the chairman.)

Mrs. SCHNEIDER. The exhibit that I have now is the issue of the California Legislative Almanac for 1954.

(Documents marked "Exhibit No. 480a, b," see appendix, pp. 7929, 7930.)

Mr. ARENS. Published by whom?

Mrs. SCHNEIDER. Published by the California Legislative Conference in Los Angeles.

Mr. ARENS. Proceed at your own pace to tell us about that exhibit and that organization.

Mrs. SCHNEIDER. I had very little contact with this organization as such. When I was ordered into one of the leading political parties by the Communist Party, however, I had been sent to the Fresno State conference. This was in 1954.

Mr. ARENS. You were ordered into one of the major political parties. Is that correct?

Mrs. SCHNEIDER. That is correct.

Mr. ARENS. Were you ordered to become active in the organizational work of that major political party?

Mrs. SCHNEIDER. Yes, I was. As a result of those orders I became a delegate to the Fresno State convention of that political party in 1954.

I went to my Communist club for my instructions. Verna Langer, L-a-n-g-e-r again, was head of the Communist Party at that time. I said that since I hadn't been active in the right-wing political organizations for some time, I didn't even know how I should vote on issues that might come up or how to conduct my activities.

Verna Langer gave me this copy of the California Legislative Almanac, and told me to consult the voting records of the people that were listed in there, and to support those people that had supported Communist Party legislation, and to oppose those who had opposed Communist Party legislation, and that this was to decide what my vote would be in each case.

Mr. ARENS. Were other persons besides yourself, to your certain knowledge, ordered into the inner councils, if they could get there, of the major political parties?

Mrs. SCHNEIDER. All of us were at this time. Up until this time we had been active in the Independent Progressive Party. We were ordered, since the Independent Progressive Party was no longer a useful organization, we should become active again in one of the leading political parties.

Mr. SCHERER. Were any of the Communists successful in penetrating the two major parties?

Mrs. SCHNEIDER. With the exception of myself I don't know of any that were, no.

Mr. ARENS. Have you another exhibit to which you would like to allude?

Mrs. SCHNEIDER. Yes.

I have an outline of the memorandum on immigration and naturalization provisions of the McCarran-Wood law put out by the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 481," see appendix, pp. 7931, 7932.)

Mr. ARENS. What is the date appearing on that?

Mrs. SCHNEIDER. I am trying to see one.

Mr. ARENS. The McCarran-Wood law was one designation given to the Internal Security Act of 1950.

Mrs. SCHNEIDER. 1950.

Mr. ARENS. I thought perhaps the date would help us identify that. Was this document published, to your certain knowledge, by members of the Communist Party?

Mrs. SCHNEIDER. It was distributed to us by Communist Party members.

Mr. ARENS. What is the essence of the document, if you would care to characterize it?

Mrs. SCHNEIDER. Merely an outline of grounds of deportation, the country of deportation, the right to bail, reporting and supervision, failure to depart, cost of travel, immigration and naturalization, denaturalization, annual notification of address and additional provisions.

Mr. ARENS. Do you have another document?

Mrs. SCHNEIDER. Yes. I have leaflets on Marie Richardson Harris, victim of the modern witch hunt.

(Document marked "Exhibit No. 482a-c," see appendix, pp. 7933-7942.)

Mr. ARENS. Was she up for deportation?

Mrs. SCHNEIDER. Yes, she was.

Mr. ARENS. Was that a committee or special organization created by the Communist Party for the purpose of impeding the deportation of the person whose name heads the committee?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. Was that developed by the Communist Party to your certain knowledge?

Mrs. SCHNEIDER. I am sorry. I don't know that.

Mr. ARENS. You do not know? I wouldn't want you to speculate if you do not know definitely and certainly.

Do you have another document?

Mrs. SCHNEIDER. No.

Mr. SCHERER. Witness, this pamphlet entitled "The Case of Marie Richardson Harris, the Victim of a Modern Witch Hunt." You say that pamphlet was distributed here in Los Angeles?

Mrs. SCHNEIDER. I have difficulty remembering this particular pamphlet.

Mr. SCHERER. You have no recollection of that pamphlet?

Mrs. SCHNEIDER. I remember seeing the pamphlet.

Mr. SCHERER. You remember seeing the pamphlet?

Mrs. SCHNEIDER. Yes. We were given pamphlets through our Civil Rights Congress about these cases.

Mr. SCHERER. And this solicitation of funds which accompanied this pamphlet, the solicitation of funds on behalf of the Committee To Defend Marie Richardson Harris: have you seen that correspondence before this morning?

Mrs. SCHNEIDER. Yes. I know I have seen this. I don't remember exactly.

Mr. SCHERER. I just wanted to make the point that this correspondence emanates from Washington, D. C., and found its way here to Los Angeles. Marie Richardson Harris was at that time obviously a resident of the District of Columbia, and the solicitation of funds for this committee originated in Washington, D. C.

Mrs. SCHNEIDER. I still receive them, by the way.

Mr. SCHIERER. You what?

Mrs. SCHNEIDER. We were put on Communist Party front group mailing lists. And evidently my name wasn't crossed off of all their mailing lists, and I still receive requests to subscribe to magazines, and requests for funds from some of the organizations.

Mr. VELDE. Do you still receive the Daily People's World?

Mrs. SCHNEIDER. No.

Mr. VELDE. Did you while you were an undercover agent?

Mrs. SCHNEIDER. I did until I left the Communist Party. When I left the Communist Party my subscription stopped. I no longer received it, although actually they owe me about 3 months, I believe.

Mr. ARENS. Would you kindly allude to another exhibit if there is one that prompts a recollection with reference to certain organizations.

Mrs. SCHNEIDER. This is a reference to the 20th Anniversary National Conference for the American Committee for Protection of Foreign Born, in Chicago. I remember our local Civil Rights Congress referring to the conference, giving reports on what had taken place.

This is a copy of one of the reports to the conference.

(See exhibit III, appendix, pp. 8303-8316.)

Mr. ARENS. Was that conference Communist controlled?

Mrs. SCHNEIDER. Certainly.

Mr. ARENS. And do you have another exhibit?

Mrs. SCHNEIDER. This is a copy of a speech made by Harry Carlisle: "Speaker's Guide To End the Deportation Drive; To Repeal the McCarran Act and To Protect the Constitutional Rights of All Americans."

(Document marked "Exhibit No. 483," see appendix pp. 7943-7955.)

Mr. ARENS. Is the Communist Party interested in protecting the constitutional rights of anyone?

Mrs. SCHNEIDER. It certainly is not.

Mr. ARENS. Is the Communist Party dedicated to the destruction of the Constitution?

Mrs. SCHNEIDER. Completely.

Mr. ARENS. Are the Communist Party lawyers who take an oath as a prerequisite to practicing in the courts of this land to preserve and protect and defend the Constitution: are they taking that with any mental reservations?

Mrs. SCHNEIDER. They certainly are.

We were all given instructions. For example, from time to time, as head of the American Peace Crusade in San Diego, it was necessary to sign loyalty oaths to get the use of school buildings. I hesitated to sign such an oath, and consulted Verna Langer, who was the head of the Communist Party at that time, about whether or not I should sign the loyalty oath as a member of the Communist Party.

We were all given instructions that whenever it was necessary to sign anything to avoid it if possible because it carried with it a possible penalty for perjury; to keep from doing it. But, whenever it really mattered, to go ahead and sign anything or swear to anything.

Mr. ARENS. The Communist Party has no morality, does it, other than the interest of the conspiracy?

Mrs. SCHNEIDER. Absolutely none.

Mr. SCHERER. Do you know of any cases, other than the one you related about the list given to the Stareevics, where attorneys have told witnesses who were to be called before this committee what to say? Any specific examples?

Mrs. SCHNEIDER. In each case when the Un-American Activities Committee was going to have hearings the Communist Party attorneys would coach the witnesses very carefully beforehand—exactly what to say and what not to say.

Mr. SCHERER. To the extent of baiting the committee?

Mrs. SCHNEIDER. Certainly. That was the main emphasis on their testimony. They were carefully coached on exactly how to make the committee the angriest.

Mr. SCHERER. We have had testimony in other cities from individuals like yourself that that has been the universal practice by Communist lawyers, to coach witnesses how to bait the committee, although, under the rules of the committee and as attorneys, they are not supposed to tell witnesses what to say. They are merely supposed to advise them as to their legal and constitutional rights with reference to answering questions that might be asked. It has been almost a universal practice to tell witnesses what to say and how to bait the committee.

Mr. ARENS. Do you have another exhibit?

Mrs. SCHNEIDER. These are two more of the leaflets that were sold or distributed by the Civil Rights Congress in the San Diego area.

Mr. ARENS. Could you give the title so the record will reflect the identity of the exhibits?

Mrs. SCHNEIDER. Yes. This is a test case for noncitizens and all Americans, put out by the American Committee for Protection of Foreign Born. The other was also put out by the American Committee for Protection of Foreign Born.

(Documents marked "Exhibit No. 484a, b," see appendix, pp. 7956, 7957.)

Mr. ARENS. Mrs. Schneider, is communism a disease of the head or of the heart? What makes a Communist?

We have seen here in the course of these hearings, and in the course of many years' experience in this work, a number of people appear before this committee identified as Communists who were intelligent people.

We had here, just yesterday, a man identified as a member of the Communist Party who was a doctor of philosophy, a Ph. D. It took him at least 7 years of intensive training to get that degree. Yet he is a member of the Communist conspiracy.

How do you account for it? What makes a Communist?

We have asked that question innumerable times, and have had various shades of answers from witnesses.

Mrs. SCHNEIDER. In the cases of an intelligent person such as one of those who testified yesterday I think that very occasionally you will find in the Communist Party a sincerely idealistic person who is misled by the promises of communism and of the Soviet Union.

The Soviet Union and the Communist Party will promise an answer to anyone's problems no matter what they are. Realizing fully that they will never be answered by communism, they will promise them anything in order to get them interested in the Communist Party.

Mr. ARENS. It has its heart and core in a materialistic philosophy of life; does it not?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. It denies the primacy of the spirit that you and I have a soul; does it not?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. It denies the existence of God; does it not?

Mrs. SCHNEIDER. Yes.

Mr. ARENS. And could you give us your appraisal of how it is that a force such as communism, which denies the existence of the soul, denies the existence of God, can engender such a spirit among its adherents when it is only a materialistic philosophy?

Mrs. SCHNEIDER. Part of it would be because of the discipline exerted by the Communist Party over its members. It is sort of a contagious thing. It is more than a religion to most of the Communist Party members.

When you first become a member of the Communist Party, for example, you are encouraged to bring up your personal problems at your club meetings, and you are counseled very kindly on them. In the meantime you are taken out on public picket lines and mass gatherings until you are alienated completely from the community, until you know perfectly well that all of your neighbors realize, and your community realizes, that you are a Communist Party member.

Then your personal problems are brought up on a different basis in your Communist club meetings. The answers are determined by the members of your club on the basis of what is best for the Communist Party itself. If you don't follow these decisions you are not thinking as a progressive Communist Party member would think. It isn't that you are thrown out of the party; it is just that you don't "belong" any longer, and that is in quotation marks. They exert that discipline over the silliest things.

For example, I would like to read paperback mystery stories. Occasionally when some of the Communist Party members came to my house unexpectedly they would find these paperback mysteries. I have been criticized very severely on the Communist Party basis for wasting my time and money on such stuff.

Mr. ARENS. I see you have a number of exhibits before you. I should like to move along if you could just give us a brief allusion to each of the several exhibits there concerning which you have certain knowledge and the organization which inspired the exhibit.

Mrs. SCHNEIDER. This is about two men exiled to death, jailed for life, the story of Korean Americans.

(Document marked "Exhibit No. 485a, b," see appendix, pp. 7958, 7959.)

This was put out by the Korean-American Deportees Defense Committee.

Mr. ARENS. Was that Korean-American Deportees Defense Committee controlled by the Communist Party?

Mrs. SCHNEIDER. Yes, it was.

Mr. ARENS. That was another creature of the conspiracy to subvert the anti-Communist program of this Government; is that correct?

Mrs. SCHNEIDER. That is correct.

Mr. ARENS. Proceed to another exhibit, if you please.

Mrs. SCHNEIDER. That one, by the way, was distributed through the Communist Party itself. We did not have to—we did not have a branch of this committee in San Diego. It was distributed through the Communist Party itself.

This is "Gestapo At Our Doors."

(Document marked "Exhibit No. 486a, b," see appendix, pp. 7960, 7961.)

Mr. ARENS. And who distributes that?

Mrs. SCHNEIDER. The Civil Rights Congress through the Committee for Protection of Foreign Born.

Mr. ARENS. Was that with reference to the McCarran-Walter Immigration and Nationality Act?

Mrs. SCHNEIDER. Yes.

These are two post cards, one addressed to Attorney General McGranery of the Department of Justice, asking for freedom on bail to Martin Young, and administrative bail to Miriam Stevenson, David Hyun, Frank Carlson, and Harry Carlisle, the Terminal Island Four.

Those were distributed through the Civil Rights Congress.

And the second is addressed to Herman R. Landon, district director, Immigration Service, in Los Angeles. This was a similar one asking for release of Harry Carlisle.

(Document marked "Exhibit No. 487a, b," see appendix, pp. 7962, 7963.)

Mr. ARENS. Communist?

Mrs. SCHNEIDER. Yes, sir.

Mr. ARENS. Do you have a recollection as to the volume of these cards that were being sent to the then Attorney General and to the director of the Immigration Service?

To your knowledge, were letters of this nature also written on these cases?

Mrs. SCHNEIDER. I don't know. But we were given a large number of them and encouraged to distribute them. We were given cards of this sort with the instructions to take them with us. Whenever we could find anyone that was—preferably that was not connected with the progressive movement or the Communist Party, to sign them, that we should get them to sign them and to mail them ourselves. If we gave them to them they might not mail them. But we would get them to sign them, and for us to put them in the post boxes.

We were ordered to do the same thing with letters, to prepare letters on these subjects beforehand and get outsiders to sign them, and then we would mail them.

Mr. ARENS. How articulate is the Communist conspiracy and the people whom they influence in making known in Washington and in the councils of government the demands and positions of the conspiracy?

Mrs. SCHNEIDER. Completely. We were told that whenever we had a meeting, if we didn't produce post cards and telegrams at the meeting, to the Government preferably, the meeting had been a failure. Some sort of action had to be carried on as a result of the meeting.

Mr. DOYLE. Did I understand you, just before this last statement by you, to say that you were instructed to deposit Communist Party literature in the United States mail boxes?

Mrs. SCHNEIDER. No, Congressman Doyle.

Mr. DOYLE. Without it being United States mail?

Mrs. SCHNEIDER. No.

I said that we were told to have outsiders sign these cards which had been put out by the Communist Party, and for us to mail them ourselves to make sure that they were mailed and not just stuck in a wastebasket. Mailed to, for example, Attorney General McGranery, to the Government.

Mr. DOYLE. I see.

Mr. SCHERER. That is the reason our mail is so heavy.

Mr. ARENS. We have been told by the conspiracy they can have 50,000 letters in the capital on any subject under the sun in 72 hours. Is that an overstatement, Mrs. Schneider?

Mrs. SCHNEIDER. Not at all.

We were told when we read our PW's—our People's World—at home, we should have a stack of post cards right by our side. I was given these instructions by Lolita Gibson, G-i-b-s-o-n, who was a member of the Communist Party at that time, who was sponsoring my going into the Communist Party. She said whenever we hit an issue in the PW that the Communist Party and the Soviet Union wanted emphasized, we should make out a post card right then and mail it. And that, also, we should telephone and persuade other people to do it.

Mr. ARENS. That brings me to a point I think this record might well reflect.

The Communist Daily Worker and the Communist Daily People's World here on the west coast are more than newspapers; are they not?

Mrs. SCHNEIDER. Yes, they are.

Mr. ARENS. They are telegraph agencies for the conspiracy; are they not?

Mrs. SCHNEIDER. They are. They were one method of receiving instructions about carrying on Communist Party activity.

Mr. ARENS. Now proceed if you have more exhibits, please.

Mrs. SCHNEIDER. This is a leaflet, the story of Charles A. Doyle, distributed by the American Committee for Protection of Foreign Born. That was distributed through the Communist Party itself.

(See exhibit No. 35a-d, appendix, pp. 7144-7147.)

Mr. SCHERER. Let me see that, please.

(Document handed to Mr. Scherer.)

Mr. DOYLE. While Mr. Scherer is looking at that, may I ask this: Then here was another case where hundreds of thousands of innocent people, people not aware that they were lobbying Congress at the instance of the Communist Party membership by virtue of sending these post cards and such; is that correct?

Mrs. SCHNEIDER. That is correct.

Not only that, Congressman Doyle, but through the American Peace Crusade we were given leaflets for balloting, for innocent people to ballot. They wanted an immediate end to the Korean war, yes or no.

Well, everyone naturally would check yes. Then these were forwarded to the Government with the explanation that all of these hundreds of thousands of people were asking for the Government not to carry on this terrible war that they opposed, you see. The poor people that signed them didn't realize at all what they were signing.

We were also instructed to have them deposit these in a shoebox. And theoretically we were to instruct the people that did the balloting that they would be counted by a notary public, that everything would be perfectly legitimate. Actually we were instructed to take them home and count them and turn in the result.

Mr. DOYLE. In other words, a false representation to the unsuspecting public?

Mrs. SCHNEIDER. Completely.

Mr. DOYLE. At the hands of the Communist Party in California?

Mrs. SCHNEIDER. Yes.

Mr. SCHERER. Witness, this last pamphlet you discussed and which you said was distributed by the Communist Party itself on behalf of Charles A. Doyle——

Mr. DOYLE. No relative of mine, may I stipulate.

Mr. SCHERER. Will you tell us in what connection this pamphlet was issued. With what was Doyle charged?

Mrs. SCHNEIDER. He was charged under the Walter-McCarran Act.

Mr. SCHERER. Were they seeking to deport him?

Mrs. SCHNEIDER. Yes; they were.

It is a story of a, quote, "Frameup Against a Foreign-Born Union Leader."

Mr. ARENS. You are quoting now so the record doesn't reflect that you make that as an assertion of fact?

Mrs. SCHNEIDER. I certainly am.

Mr. SCHERER. Was this Doyle a Communist?

Mrs. SCHNEIDER. I did not know that.

Mr. ARENS. He was deported as a Communist, Mr. Scherer.

Mr. SCHERER. That is what I understood. He was deported.

Let me ask you: Did the Communist Party or any of the organizations whose help they sought to prevent the deportation of aliens ever go forward on behalf of an alien who was charged with something other than being a Communist?

Mrs. SCHNEIDER. I have never known of a case of that sort.

Mr. SCHERER. An alien who perhaps was charged with larceny or theft? Do you know of any case where they went forward to prevent his deportation?

Mrs. SCHNEIDER. Never. Not to my knowledge.

Mr. SCHERER. Or an alien that was charged perhaps with burglary or violation of the Narcotics Act? Do you know of any case where they went forward in order to assist that alien, charging that perhaps he was unlawfully and improperly charged with violation of any of the laws which I have mentioned?

Mrs. SCHNEIDER. No. I know of one case in which the person was not a Communist Party member, where that was done through the Civil Rights Congress.

A man in San Diego that was our local civil-rights case was charged on four charges of rape. It was discussed within the Communist Party whether this was a proper case for the Civil Rights Congress to carry on. It was recognized——

Mr. SCHERER. They questioned whether the Civil Rights Congress should try to assist this man who was charged with rape?

Mrs. SCHNEIDER. Yes.

Mr. SCHERER. Because he wasn't a Communist. Is that what you are trying to say?

Mrs. SCHNEIDER. He was not a Communist. We discussed it at our Communist club meetings and with the attorney who worked on the case at that time.

Mr. VELDE. When was that, Mrs. Schneider?

Mrs. SCHNEIDER. That was in approximately—the case began, I believe, in January 1952. It was decided to carry on this case in spite of the fact that the man was a non-Communist because of the publicity value. It was recognized within the party, it was realized that the man was guilty, that his wife admitted that the man was guilty, and, in spite of that fact, they thought that enough publicity and enough money could be obtained from the case to make it worth their while to carry it on.

Mr. SCHERER. Is that the only case that you know of where the Communist Party acquiesced in the defense of a man charged with deportation proceedings on grounds other than that he had been a Communist?

Mrs. SCHNEIDER. To my knowledge, this man was not charged with deportation.

Mr. SCHERER. What was he charged with?

Mrs. SCHNEIDER. He was being charged—

Mr. SCHERER. Just on the plain rape charge?

Mrs. SCHNEIDER. Yes. He was subsequently sent to San Quentin.

Mr. SCHERER. My question was whether or not you know of any case in which the Communist Party, or any of the organizations set up by the Communist Party, ever went forward in an effort to prevent the deportation of an alien who was charged with any other offense than that of being a Communist?

Mrs. SCHNEIDER. Not to my knowledge.

Mr. DOYLE. You said a minute ago that the Communist Party within the Civil Rights Congress membership discussed whether or not the Civil Rights Congress should defend this man charged with four cases of rape.

Were the Communist Party members in the Civil Rights Congress at that time so numerous or powerful that they could control and did control the policies of the Civil Rights Congress in San Diego at that time?

Mrs. SCHNEIDER. Completely.

Mr. DOYLE. How many Communists did it take in the Civil Rights Congress in San Diego at that time to control its policy completely? Do you remember? How many in the Commie cell in the Civil Rights Congress?

Mrs. SCHNEIDER. I don't know, Congressman Doyle, because I was not assigned to that. However, the organizer, the Communist Party organizer that controlled the Civil Rights Congress in San Diego was Miriam Starcevic, S-t-a-r-c-e-v-i-c.

Mr. DOYLE. It is too bad some well-meaning people got drawn into organizations without knowing that they are controlled by the Communists. Here is another good illustration.

Mr. ARENS. Do you have another exhibit?

Mrs. SCHNEIDER. Surely.

This is another post card to the Attorney General of the United States, put out by the American Committee for Protection of Foreign Born. This was distributed through our San Diego Civil Rights Congress.

(Document marked "Exhibit No. 488," see appendix, pp. 7964, 7965.)

This is one of the leaflets put out by the Los Angeles Committee for Protection of Foreign Born. It is Your Rights When Called by the

Immigration Department and/or FBI. This was distributed through the Civil Rights Congress.

(Document marked "Exhibit No. 489," see appendix, pp. 7966, 7967.)

Mr. ARENS. What are they supposed to do if the FBI gets in touch with them?

Mrs. SCHNEIDER. We were instructed not to give any answers whatsoever, but to call—let me see.

Mr. ARENS. To call one of the comrade lawyers?

Mrs. SCHNEIDER. Theoretically we were to call the Civil Rights Congress, to call the Communist member in the Civil Rights Congress, and they would contact the Communist Party attorney for us.

Mr. ARENS. The comrades do not have too high a regard for the FBI either; do they?

Mrs. SCHNEIDER. No; they don't. Let me correct that. I'm afraid they do. They really—

Mr. ARENS. You mean they appreciate the efficiency of the FBI?

Mrs. SCHNEIDER. Yes. We were ordered not to give them any answers of any sort under any circumstances.

Mr. ARENS. Do you have another exhibit?

Mrs. SCHNEIDER. This is another leaflet put out, a similar leaflet put out by the Los Angeles Committee for Protection of Foreign Born, on July 22, 1953. It does not have a heading. It refers to the kidnap deportation—and that is in quotation marks—of Reuben Ship and Anna Nagin, Burbank housewife.

(Document marked "Exhibit No. 490," see appendix, p. 7968.)

This is another leaflet put out by the Los Angeles Committee for Protection of Foreign Born, called Proposed Call. It is an appeal to trade unions and a long list of groups and all those who oppose the McCarran and McCarran-Walter laws. That was distributed by the Civil Rights Congress in San Diego.

(Document marked "Exhibit No. 491," see appendix, p. 7969.)

This is, Facts Mr. Landon Didn't Tell on the Reuben Ship "Kidnap Deportation" Case. Another put out by the Los Angeles Committee for Protection of Foreign Born.

Mr. ARENS. You didn't see anything put out concerning the deportation of the Hungarians to Siberia?

Mrs. SCHNEIDER. No.

Mr. ARENS. There is no question in your mind but what the Communist conspiracy of the United States is part and parcel of the international conspiracy with 25 million agents?

Mrs. SCHNEIDER. Completely. At one time I was offered an opportunity, given an opportunity to go to Stockholm, Sweden, to the International Peace Conference there. I was told it would be a very simple thing from there to go into the Soviet Union itself, and that a few of us would be chosen and permitted to do so.

Mr. ARENS. Did they tell you how you would get your passport?

Mrs. SCHNEIDER. It would not require a passport. It would be a very simple thing just to slip across the sea at that point.

This is another leaflet put out by Los Angeles Committee for Protection of Foreign Born, July 31, 1953. This was also distributed by our Civil Rights Congress.

(Document marked "Exhibit No. 492," see appendix, p. 7970.)

This is, For Release, Los Angeles Committee for Protection of Foreign Born, Fact Sheet. Facts You Have Not Been Told by Mr. Landon.

(Document marked "Exhibit No. 493," see appendix, p. 7971.)

This is the case of the Terminal Island Four again.

This is the Fact Sheet on Deportation Cases on the Terminal Island Four.

(Document marked "Exhibit No. 494," see appendix, pp. 7972-7974.)

This is a press release from the Los Angeles Committee for Protection of Foreign Born on an essay contest in December 1952. The title of the essay is to be "The Bill of Rights and the Freedoms of the Foreign-Born Americans."

(Document marked "Exhibit No. 495," see appendix, p. 7975.)

Each time a committee was set up while I was in the Communist Party it took some time to decide on the title of the committee. Even for temporary committees we would deliberately choose just as patriotic a title as possible, preferably one that had a title similar to a non-Communist patriotic organization such as the Civil Rights Congress. Not a nonpatriotic. I should separate that. The Civil Rights Congress is not one of the patriotic non-Communist organizations I was referring to.

This is another leaflet with the date July 27, 1953, put out by the Los Angeles Committee for Protection of Foreign Born on the Terminal Island Four again.

(Document marked "Exhibit No. 496," see appendix, p. 7976.)

This is a news release put out by Los Angeles Committee for Protection of Foreign Born. It describes the deportation orders under the McCarran-Walter law for David Hyun and Miriam Stevenson.

(Document marked "Exhibit No. 497," see appendix, p. 7977.)

Mr. ARENS. That completes the exhibits you presently have for purposes of identification.

Mr. DOYLE. May I return these?

Mr. ARENS. Mrs. Schneider, we deeply appreciate your testimony before the committee. We would interrogate you further, but you have already appeared before the committee and given testimony with respect to other areas of the committee's interest.

Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Velde?

Mr. VELDE. I have no further questions. I would like, for the record, to commend Mrs. Schneider for her very excellent testimony. And I personally appreciate the service you have rendered to the United States of America.

Mr. DOYLE. I am sure Mr. Scherer and I join in that appropriate remark.

The committee will stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee reconvened at the expiration of the recess. Committee members present: Representatives Doyle and Scherer.)

Mr. DOYLE. The committee will please come to order.

Let the record show that Mr. Scherer and Mr. Doyle are present, and Mr. Velde temporarily absent. But a quorum of the subcommittee being present, we will proceed.

Mr. ARENS. Mr. Leonard Ludel, kindly come forward.

Mr. ROBERT L. BROCK. Mr. Doyle, I am attorney for Mr. Ludel, and I feel compelled to withdraw as attorney in view of the attack made on me by Mr. Arens and the subpoena issued.

Mr. DOYLE. Raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUDEL. I do.

Mr. DOYLE. Will you be seated.

**TESTIMONY OF LEONARD LUDEL, ACCOMPANIED BY COUNSEL,
ROBERT L. BROCK**

Mr. SCHERER. In order that counsel may represent this man, I move that the subpoena issued on counsel yesterday be quashed.

Mr. DOYLE. If there is no objection, the motion will be granted.

Mr. BROCK. May I ask one further thing. I would appreciate, Mr. Doyle, not being made a target of any of Mr. Arens' attacks. He has been very courteous to Mrs. Schneider. I would like the same courtesy. That is all I ask. He has made an attack on all the lawyers here.

Mr. ARENS. You know that isn't true. The only attack is a recitation of the record with respect to people who have been identified as members of the conspiracy. In your particular case it was a reference to a record of this committee in which you, under oath, invoked the fifth amendment when you were asked whether or not you had ever been a member of the Communist Party.

Mr. DOYLE. Let's proceed. We have been very glad to quash this subpoena so that you could appear in comfort and so that your client could feel that he has had a free choice in selecting counsel of his preference.

Mr. BROCK. Thank you, Mr. Chairman.

Mr. ARENS. Now kindly identify yourself by name, residence, and occupation.

Mr. LUDEL. My name is Leonard Ludel. My residence is 3571 Beethoven Street. I am a self-employed diamond cutter.

Mr. ARENS. Where?

Mr. LUDEL. At 315 West Fifth Street, Los Angeles.

Mr. ARENS. You are appearing here today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. LUDEL. I didn't get the question.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. LUDEL. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. LUDEL. Yes, I am.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. BROCK. Robert L. Brock, B-r-o-c-k, of the firm of Brock, Easton, Fleishman & Rykoff, of Hollywood, Calif.

(Representative Harold H. Velde entered the hearing room at this point.)

Mr. DOYLE. May I interrupt at this point to have the record show that Committee Member Velde has now taken his place with the subcommittee. Thank you.

Mr. ARENS. Mr. Ludel, I want to be sure I pronounce your name right. Is it L-u-d-e-l? Is it one "l"?

Mr. LUDEL. That is correct.

Mr. ARENS. Leonard Ludel.

Mr. LUDEL. That is right.

Mr. ARENS. How long have you lived in this community?

Mr. LUDEL. Eleven years.

Mr. ARENS. Where did you live immediately prior to the time you came to this community?

Mr. LUDEL. New York City.

Mr. ARENS. And how long did you live there?

Mr. LUDEL. From approximately 1927 to 1944.

Mr. ARENS. And where did you live prior to the time you lived in New York City?

Mr. LUDEL. Los Angeles.

Mr. ARENS. And how long did you live there at that time?

Mr. LUDEL. From 1924 to 1927.

Mr. ARENS. Now we want to display to you, Mr. Ludel, an exhibit bearing your signature. It consists of two Communist Party independent nominating petitions in New York City, addressed to the secretary of state of New York State.

(The witness confers with his counsel.)

Mr. ARENS. These two petitions both bearing your signature, are for the purpose of causing the Communist Party to be registered on the ballot.

Please look at the photostatic copies of these documents and tell this committee whether or not you can verify the authenticity of your signature.

(The witness examines documents and confers with his counsel.)

Mr. LUDEL. I refuse to answer this question on the grounds of the first and fifth amendments to the Constitution of the United States.

(Documents marked "Exhibit No. 498a, b," see appendix, pp. 7978, 7979.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as and when this witness signs a voucher for his witness fee and travel expense, that that part of the voucher bearing his signature be incorporated in the body of the record so that there may be a comparison of signatures.¹

Mr. BROCK. No objection.

Mr. DOYLE. The order is made.

Mr. ARENS. Mr. Ludel, have you been connected with the Los Angeles Committee for Protection of Foreign Born?

Mr. LUDEL. I refuse to answer this question on the same grounds.

Mr. ARENS. Now we direct your attention, if you please, to a check, a photostatic copy of a check, Los Angeles Committee for Protection of Foreign Born, payable to Leonard Ludel, endorsed by Leonard Ludel.

Kindly look at that check and see if you will verify the authenticity of your signature, your endorsement there.

(Document marked "Exhibit No. 499," see appendix, p. 7980.)

Mr. LUDEL. I refuse on the same grounds.

Mr. ARENS. What is that button I see on your lapel? Would you help us on that?

¹ Signed voucher not returned at date of printing of testimony.

Mr. LUDEL. Yes. It says "To Repeal the Racist Walter-McCarran Act."

Mr. ARENS. What organization gave you that button? Would you tell us?

(The witness confers with his counsel.)

Mr. LUDEL. I refuse to answer that question.

Mr. SCHERER. I ask that you direct the witness to answer that question.

(The witness confers with his counsel.)

Mr. DOYLE. I direct the witness to answer.

Mr. LUDEL. I refuse to answer this question on the grounds of the first and fifth amendments.

Mr. VELDE. Did you have to buy that button?

(The witness confers with his counsel.)

Mr. LUDEL. Same answer.

Mr. SCHERER. I ask that you direct the witness to answer Mr. Velde's question. In my opinion, he has waived any privilege he has.

Mr. LUDEL. I refuse to answer this on the grounds of the first and fifth amendments.

Mr. SCHERER. May I say, for the record, it is the opinion of this member of the committee that, by answering the question with reference to the button, he has waived any privilege that he might have of invoking the fifth amendment with respect to other questions concerning the button.

Mr. DOYLE. The witness has been directed to answer counsel's question. I will make it clear to the witness again that you have been directed to answer that question.

Mr. BROCK. He knows that, Mr. Doyle.

Mr. ARENS. That little button doesn't contain on its face or on the back of it the name of the organization that is actually sponsoring this drive?

Mr. BROCK. Would you like it in evidence? You may have it.

Mr. SCHERER. I think it should be put in evidence.

(Exhibit retained in committee files.)

Mr. ARENS. We thank you very much, counsel.

Mr. BROCK. Yes, sir.

Mr. ARENS. What else have you done besides displaying that button to try to cause the repeal of the Walter-McCarran Immigration and Nationality Act?

Mr. LUDEL. I think that this committee does not have the power to inquire into my beliefs, my opinions, or my associations.

Mr. ARENS. We are not asking you about your beliefs or your opinions. We are asking about your actions.

Mr. BROCK. I don't want to be contumacious—

Mr. ARENS. Counsel shall be advised here and now that his sole and exclusive prerogative before this committee is to advise his witness of his constitutional rights.

(The witness confers with his counsel.)

Mr. SCHERER. The witness hasn't finished his answer, Mr. Counsel.

Mr. LUDEL. It was on this basis that I invoke the first and fifth amendments.

Mr. SCHERER. Would you talk a little louder? I don't think our counsel can hear you. You dropped your voice. But I could hear that you hadn't finished.

Mr. LUDEL. And I said it is on this basis that I invoke the first and fifth amendments to the Constitution.

Mr. ARENS. Now we want to display to you something that might be a little helpful to us in seeing what you have done to accomplish this objective indicated on this button you have been wearing.

It is an open letter to the Democratic Party clubs, signed Leonard Ludel, chairman, legislative committee, Los Angeles Committee for Protection of Foreign Born.

Please look at this document as Mr. Wheeler displays it to you and see if you can verify the authenticity of that document and your participation in that enterprise.

(Document marked "Exhibit No. 500," see appendix, p. 7981.)

Mr. LUDEL. The first and fifth amendments.

Mr. ARENS. You have been chairman of a legislative committee of a certain organization for the purpose of developing sentiment for the repeal of the Walter-McCarran Act; have you not?

Mr. LUDEL. Same grounds.

Mr. ARENS. We show you now a document which is a reproduction of a telegram sent to the platform committee of the Democratic National Convention, Morrison Hotel, Chicago, Ill.:

Urge inclusion of repeal of McCarran-Walter Act. This un-American law must be changed in the coming session of Congress.

We urge that you do likewise and that you contact all possible organizations to send telegrams as well.

Signed by Leonard Ludel, chairman, legislative committee, Los Angeles Committee for Protection of Foreign Born.

Look at that and see if you can, while you are under oath, tell this committee whether or not you are accurately described and if that is a true and correct representation of the facts.

(Document marked "Exhibit No. 501," see appendix, p. 7982.)

(The witness confers with his counsel.)

Mr. LUDEL. I refuse to answer this question on the grounds already given.

Mr. ARENS. Now we have a copy of a letter which you sent to the chairman of the United States Senate Judiciary Committee, then urging repeal of the Walter-McCarran Act, signed Leonard Ludel, legislative director of the Los Angeles Committee for Protection of Foreign Born.

Look at that document and see if it doesn't refresh your recollection.

(Document marked "Exhibit No. 502a," see appendix, p. 7983.)

(The witness examines document and confers with his counsel.)

Mr. LUDEL. I refuse to answer this question on the same grounds.

Mr. ARENS. And we have still another letter on the letterhead of the Los Angeles Committee for Protection of Foreign Born, signed Leonard Ludel, chairman, legislative committee, addressed to "Dear Friends," telling the dear friends who are the recipients to contact the various Senators and Congressmen insisting upon a certain legislative program, alluding to some 70 organizations which are dedicated to the repeal of the Walter-McCarran Act.

Now, while you are under oath, please tell this committee whether or not that is your signature, and tell us what you did in that regard.

(Document marked "Exhibit No. 502b," see appendix, p. 7984.)

(The witness examines document.)

Mr. LUDEL. I refuse to answer this question on the grounds already given.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that beginning in 1936 and up until the present time you are and have been a member of the Communist Party. If that is not true, deny it while you are under oath.

(The witness confers with his counsel.)

Mr. LUDEL. I refuse to answer this question on the grounds already given.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you are now one of the topflight organizers in this Los Angeles area of the Communist conspiracy.

Mr. LUDEL. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Questions, Mr. Velde?

Mr. VELDE. No questions.

Mr. DOYLE. Questions, Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. What objection do you have to the present provisions of any of the Federal statutes dealing with our national security?

Mr. LUDEL. Might I confer first?

(The witness confers with his counsel.)

Mr. DOYLE. You will notice, Witness, for your guidance, I am limiting my question to the area of any of the Federal statutes dealing with our security or our antisubversive legislation.

Mr. LUDEL. Mr. Doyle, ordinarily I feel free to discuss my beliefs, my opinions, and my associations. Under the circumstances of being here under the coercion of a subpoena, I do not feel so. And for this reason I cannot answer your question, on the grounds of the first and fifth amendments.

Mr. DOYLE. I wish there were some way we could get the true opinions of people as to those areas and know the source from which they come instead of having them come from Communist fronts or false fronts without revealing the source. It makes it difficult for us in Congress to legislate as intelligently as we ought in all cases where a lobby comes through false representation.

I would say to you, and it may surprise you, but why don't you communicate to us your objections to the antisubversive features of any present existing legislation? I invite you to do that over your own signature so we will know who we are dealing with.

(The witness confers with his counsel.)

Mr. DOYLE. Don't do it through a bone fide Communist front.

Is the witness excused?

Mr. ARENS. Yes, sir.

Mr. BROCK. Thank you. We appreciate the courtesy.

Mr. ARENS. Mr. Frank Wilkinson, kindly come forward.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth?

Mr. WILKINSON. I do.

Mr. DOYLE. Did you hear me, Mr. Wilkinson?

Mr. WILKINSON. I did.

TESTIMONY OF FRANK WILKINSON, ACCOMPANIED BY COUNSEL,
A. L. WIRIN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. WILKINSON. My name is Frank Wilkinson.

Mr. ARENS. And your residence, please?

Mr. WILKINSON. I feel that it is no proper concern of this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question, Mr. Wilkinson. We are certainly entitled to know where you live.

Mr. WILKINSON. As a matter of conscience and personal responsibility, I am refusing to answer any questions of this committee.

Mr. ARENS. Do you have any other reason you want to give us now besides your conscience?

Mr. WILKINSON. Because I challenge, in the most fundamental sense, the constitutionality of this committee.

Mr. ARENS. We will get to that in a minute. Do you have still another reason?

Mr. WILKINSON. It is my belief——

Mr. ARENS. We don't want to probe your beliefs.

What is the reason you do not want to tell us your address? Just let's get to the point.

Mr. WILKINSON. Because Congress had no authority to establish this committee in the first instance, nor to instruct it with a mandate which it has.

Mr. ARENS. Have you still another reason, some place in the back of your mind?

Let's get to that now.

Mr. WILKINSON. I feel that the House Committee on Un-American Activities stands in direct violation of the first amendment of the Constitution.

Mr. ARENS. You have still another one; haven't you?

Let's get to that one.

Do you honestly apprehend that if you told this committee truthfully what your address is you would be giving information that might be used against you in a criminal proceeding?

Mr. WILKINSON. I have the utmost respect of Congress to have the broadest possible powers to investigate; but Congress cannot investigate into areas in which it cannot legislate. And this Un-American Activities Committee attempts, by its mandate and by its practice, to investigate——

Mr. ARENS. Do you have still another reason? Let's get to your real reason and then get on with the next question.

Mr. SCHERER. Just let me interrupt. He has been directed to answer the question as to his residence. He has not done so. Proceed to the next question.

Mr. ARENS. He is still giving a reason why he won't tell his residence.

Mr. SCHERER. Mr. Arens, as a member of the committee, I ask we proceed to the next question. Let's go to the next question.

Mr. DOYLE. He has taken a good 4 or 5 minutes to answer the question.

Have you any other answer to give to my direction that you answer that question?

Mr. WILKINSON. Yes, sir.

Mr. ARENS. What is it?

Mr. SCHERER. I don't think we have to force from him the use of the fifth amendment.

Mr. DOYLE. Oh, no.

Mr. SCHERER. If he doesn't want to take the fifth amendment, let's proceed. Let's go to the next question.

Mr. ARENS. And your occupation, if you please? Would you tell us your occupation?

Mr. WIRIN. May he conclude his reasons? And may I enter my appearance?

Mr. ARENS. You will be entered on the record at the appropriate time.

And your occupation, if you please?

Mr. WIRIN. We are addressing the Chair.

Mr. ARENS. We had a little trouble here yesterday and you know we did.

We will have your name entered in due course, Counsel, appropriately, pursuant to the committee practice, as we do with every other counsel. Please identify yourself by telling us your occupation.

Mr. DOYLE. We identify the counsel as soon as the witness is identified.

Mr. ARENS. Part of the identification of the witness is his occupation.

Mr. WIRIN. May he finish the reasons briefly?

Mr. ARENS. You just advise your witness.

Please tell us your occupation, Witness.

Mr. WILKINSON. I am answering no questions of this committee, and I am stating my reasons for not answering. And I have not completed my answer.

Mr. SCHERER. Just a minute. I ask that you direct the witness to answer the question as to his occupation. I want to get this record straight. Let's keep it straight.

Mr. DOYLE. Mr. Wilkinson, you heard the question clearly, did you, by counsel?

(The witness confers with his counsel.)

Mr. ARENS. Now would you please answer the question with respect to your occupation?

Mr. DOYLE. Did you hear the question, Mr. Wilkinson? I am making the record clear whether or not you heard it because you have told me in recess that you are hard of hearing, and, manifestly, you are because you are wearing an earphone. I want to make sure that you hear every question that is asked you.

Mr. WILKINSON. I am answering no questions of this committee because the House Committee on Un-American Activities stands in direct violation, both by its mandate, by its existence and by its practices, of the first amendment to the United States Constitution. This committee should be abolished, and the question is none of your business.

Mr. DOYLE. Mr. Wilkinson, did you hear the committee counsel ask as to your occupation?

Mr. WILKINSON. I did.

Mr. DOYLE. All right.

What is your answer to that question?

Mr. WILKINSON. I refuse to answer any questions of this committee.

Mr. DOYLE. All right. I direct you to——

Mr. SCHIERER. You have directed him. Let's proceed to the next question. There has been a direction.

Mr. ARENS. Does the record show a direction for him to answer?

Mr. SCHIERER. It has shown a direction. It is my recollection there has been a direction to answer.

Mr. VELDE. Mr. Wilkinson, there is no question but what you are in legal contempt of this committee, but do you in your heart have contempt for this committee of Congress?

Mr. WILKINSON. I am answering no questions of this committee. I challenge the fundamental constitutionality of the House Committee on Un-American Activities.

Mr. ARENS. Mrs. Anita Schneider, are you in the hearing room?

Mrs. SCHNEIDER. Yes; I am.

Mr. ARENS. Mr. Wilkinson, would you kindly look around over your left shoulder at the lady who is standing in the rear of the hearing room.

Mr. WILKINSON. I am answering no questions of the House Committee on Un-American Activities.

Mr. DOYLE. You have repeated that at least five times. So let's save time. You don't need to repeat it.

Mr. WIRIN. Is this an appropriate time to——

Mr. ARENS. Counsel, you know your only prerogative is to advise your witness.

Mr. WIRIN. I just want to enter my appearance. That is all.

Mr. ARENS. We will get to that in a moment.

Now, Mr. Wilkinson, that lady standing testified here a little while ago under oath that she knew you as a member of the Communist conspiracy.

Was she lying or telling the truth?

Mr. WILKINSON. I am answering no questions.

Mr. SCHIERER. Mr. Chairman, I ask you direct the witness to answer the question.

Mr. DOYLE. I am directing you to answer committee counsel's last question, Mr. Wilkinson.

Mr. WILKINSON. I am answering no questions, on the grounds of my initial answer.

Mr. ARENS. You are represented by counsel?

Mr. WILKINSON. I am.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. WIRIN. If this is an appropriate time for me to do it, my name is A. L. Wirin.

Mr. ARENS. Do you have any other identification, please, sir?

Mr. WIRIN. I think that is all that is necessary at this time. I was one of counsel who argued to the Supreme Court the Quinn, Emspak, and Bart cases.

Mr. DOYLE. Where is your office, Mr. Wirin?

MR. WIRIN. My office in Los Angeles is 257 South Spring Street. I am concerned about civil liberties for all.

MR. ARENS. Now, Mr. Wilkinson, we want to display to you an advertisement that was in the newspaper just last night by the Citizens Committee to Preserve American Freedoms—attacking this committee, urging the reader of the advertisement to send a contribution to defray the cost of the educational campaign, and to write his Congressman to vote against appropriations for the House Un-American Activities Committee, and other things.

Kindly look at this advertisement and tell this committee whether or not you caused that advertisement to be inserted in the newspapers.

(Document marked "Exhibit No. 503," see appendix, pp. 7985, 7986.)

(There was no response.)

MR. DOYLE. Did you hear the question, Mr. Wilkinson?

MR. WILKINSON. I did.

MR. DOYLE. What is your answer?

MR. WILKINSON. I am answering no question of this committee. I challenge their constitutionality.

MR. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

MR. DOYLE. Mr. Wilkinson, I am directing you to answer that question.

MR. WILKINSON. I am answering no questions, on the grounds of my initial answer.

MR. SCHERER. Does your initial answer include an invocation of the fifth amendment?

MR. WILKINSON. My initial answer stands as I made it.

MR. ARENS. Now, Mr. Wilkinson, where were you born?

MR. WILKINSON. I am answering no questions.

MR. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

MR. DOYLE. I direct you, Mr. Wilkinson, to answer that question.

MR. WILKINSON. I refuse to answer any question, on the grounds of my initial answer.

MR. SCHERER. I think we should ask him—I see the position he is taking.

Does your original answer include the fifth amendment?

MR. WILKINSON. My original answer stands as I made my original answer.

MR. SCHERER. Are you refusing to answer this question on the basis of the fifth amendment?

MR. WILKINSON. My original answer stands as I made my original answer.

MR. SCHERER. Mr. Chairman, I ask that you direct the witness to answer my question, whether his refusal to answer your direction to answer the question is based in any way on the fifth amendment.

MR. DOYLE. I direct you to answer that question, Mr. Wilkinson.

MR. WILKINSON. My original answer stands as I made my original answer. I challenge, in the most fundamental sense, the constitutionality of this committee.

MR. SCHERER. All right.

Mr. ARENS. You spoke about your conscience a little while ago not permitting you to testify before this committee.

Has your conscience bothered you any with respect to the decimation of thousands of people in Hungary recently by the Communist conspiracy?

Mr. WILKINSON. I am answering no questions.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I make the direction, Mr. Wilkinson, that you answer the question.

Mr. WILKINSON. I am answering no questions of this committee, on the grounds of my initial answer.

Mr. ARENS. Has your conscience bothered you any about any participation you may have had in the Communist conspiratorial apparatus in the United States?

Mr. WILKINSON. I am refusing to answer any questions.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer this last question.

Mr. DOYLE. I direct you, Mr. Wilkinson, to answer that last question.

Mr. WILKINSON. I am refusing to answer any questions of this committee on precisely the grounds of my initial answer.

Mr. SCHERER. This is important. Are you refusing to answer this question that the chairman has just directed you to answer with reference to your connection with the Communist conspiracy, invoking the fifth amendment as a basis for your refusal to do so?

Mr. WILKINSON. My initial answer is my answer.

Mr. SCHERER. All right.

Mr. ARENS. Now, Mr. Wilkinson, we lay before you a document, a voluminous document which has been identified in this record, of the Citizens Committee to Preserve American Freedoms. According to this document, the Citizens Committee to Preserve American Freedoms announces a new public information service to organizations, speakers, literature and action recommendations on the Brownell-Butler law, the so-called Communist Control Act of 1954.

Kindly look at that document and see if you can tell us whether or not you are in a position to verify its authenticity.

(See exhibit No. 479, appendix, pp. 7917-7928.)

(Document placed on witness table.)

Mr. DOYLE. Did you hear counsel's question, Mr. Wilkinson?

Mr. WILKINSON. I did.

Mr. DOYLE. I want to make sure that you did hear it all.

Have you an answer to that question?

Mr. WILKINSON. That is no proper concern of this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you, Mr. Wilkinson, to answer that question.

Mr. WILKINSON. I am refusing to answer any questions of this committee. I challenge the constitutionality of the House Committee on Un-American Activities in the most fundamental sense.

Mr. SCHERER. All right. Let the record show, because it does not disclose, that the witness has refused even to look at the document presented to him.

Mr. ARENS. What was the Burns-Chapel bill? Do you recall?

Mr. WILKINSON. That is no proper concern of this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I instruct you, Mr. Wilkinson, to answer the question.

Mr. WILKINSON. I am answering no questions, on the grounds of my initial answer.

Mr. ARENS. Now we lay before you a photostatic copy of the Communist Daily People's World, an article entitled "L. A. Professionals Spur Fight on Chapel Bill," telling about a number of people who are heading a legislative drive on the Burns-Chapel bills, a drive to "halt legislative repeal of the fifth amendment through the Burns-Chapel bills," identifying a Frank Wilkinson, here referred to as executive secretary of the citizens committee.

Kindly look at that document and tell us whether or not it accurately describes you.

(Document marked "Exhibit No. 504," see appendix, p. 7987.)

(Document placed on the witness table.)

Mr. DOYLE. Did you hear the question, Mr. Wilkinson?

Mr. WILKINSON. I did.

Mr. DOYLE. Do you see the document referred to before you on the table? Will you look at it and answer the question?

(There was no response.)

Mr. SCHERER. I ask you direct the witness to answer the question.

Mr. DOYLE. Have you an answer to the question, Mr. Wilkinson?

Mr. WILKINSON. I am answering no questions of this committee, on the grounds of my initial answer.

Mr. DOYLE. I direct that you answer the question.

Mr. SCHERER. Let the record show that the witness did not look at the document presented to him.

Mr. ARENS. Does the record show a direction?

Mr. DOYLE. Yes; it did.

Mr. ARENS. Now, Mr. Witness, we lay before you two original letterheads of the Los Angeles Committee for the Protection of Foreign Born, each of which bears the name, as a sponsor, Frank Wilkinson.

Kindly look at those documents and tell the committee whether or not you are accurately described.

(See exhibit No. 502a, b, appendix, pp. 7983, 7984.)

(Documents placed on witness table.)

Mr. WILKINSON. That is none of your business.

Mr. DOYLE. I instruct you to answer the question, Mr. Wilkinson.

Mr. WILKINSON. I am answering no questions here, on the grounds that I have stated.

Mr. SCHERER. Let the record show the witness did not, again, look at the documents submitted to him.

Mr. ARENS. Now we want to lay before you still another exhibit from the Communist Daily People's World of October 30, 1952, the un-Americans fingered Frank Wilkinson, CHA Information Director.

That refers to the Un-American Activities Committee of California State.

Look at this article, if you please, sir, and tell this committee whether or not you are accurately described here as CHA information director, city housing authority information director.

(Document marked "Exhibit No. 505," see appendix, p. 7988.)

Mr. WILKINSON. That is no proper concern of yours.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you, Mr. Wilkinson, to answer that question.

Mr. WILKINSON. I am refusing to answer all questions of this committee, on the grounds which I have stated.

Mr. ARENS. Mr. Chairman, we have a number of other questions to pose to this witness, which, in the judgment of the staff, are pertinent, relevant, within the proper jurisdiction of this committee and its various purposes, legislative purposes and otherwise. But, in view of the attitude of this witness and his abject refusal to give any information at all, to answer any questions, I feel it would be an imposition upon the time of the members of this committee. I think it would be absolutely futile for us to continue.

Therefore, Mr. Chairman, I respectfully suggest, in view of the position taken by this witness in refusing to answer any questions, that that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Velde?

Mr. VELDE. Just one question. Do you actually want to be cited for contempt of Congress?

Mr. WILKINSON. I am answering no questions of this committee.

Mr. SCHERER. I think we missed two of the questions that we should ask. May I ask them?

Mr. DOYLE. Yes.

Mr. SCHERER. Are you at present a member of the Communist Party?

Mr. WILKINSON. I am answering no questions of the committee.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you to answer that question, Mr. Wilkinson.

Mr. WILKINSON. I am answering no questions of this committee, on the grounds of my initial answer.

Mr. SCHERER. In refusing to answer the question I have just asked you, and which the chairman directed you to answer, are you refusing to answer on the basis of the fifth amendment?

Mr. WILKINSON. I am refusing to answer any questions of this committee on the grounds which I have stated.

Mr. SCHERER. Now, Mr. Chairman, to me there is no question that this witness is in contempt, and I move that this subcommittee recommend to the full Committee on Un-American Activities that this witness be cited for contempt of Congress.

Evidently he has taken this position because he knows that this Congress adjourns or expires within the next 30 days.

And I am going to ask that steps be taken, as provided by law, to obtain such a citation for contempt.

Mr. DOYLE. Mr. Velde?

Mr. VELDE. Aye.

Mr. SCHERER. Aye.

Mr. DOYLE. Chairman Doyle: Aye.

Steps will be taken by the committee.

Are there any other questions of the witness?

If not, the witness is excused.

Thank you, Mr. Wirin.

Mr. ARENS. The next witness, if you please, would be Mr. Howard Goddard.

Would you kindly come forward.

Mr. DOYLE. Mr. Goddard, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GODDARD. I do.

Mr. DOYLE. Thank you. Will you have a chair.

**TESTIMONY OF HOWARD GODDARD, ACCOMPANIED BY COUNSEL,
JOHN W. PORTER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

(The witness confers with his counsel.)

Mr. GODDARD. These lights are bothering me, and the flashbulbs. May we have that stopped, please?

Mr. DOYLE. Yes. The cameramen will please hasten. And did the cameraman hear the witness' objection to the lights, please. Is there a question?

Mr. ARENS. A question is outstanding, Mr. Chairman. I asked the witness to kindly identify himself by name, residence, and occupation.

Mr. GODDARD. Howard Goddard, farmer, 2002 South Vern, Ontario, Calif.

Mr. ARENS. Did you say farmer?

Mr. GODDARD. Farmer.

Mr. ARENS. You are appearing here today, Mr. Goddard, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. GODDARD. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. GODDARD. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. PORTER. John W. Porter.

Mr. ARENS. How long have you been a farmer?

(The witness confers with his counsel.)

Mr. GODDARD. I will refuse to answer that question and any similar or related questions on the grounds of the first amendment, which guarantees freedom of speech and of thought and association, and on the further ground of the fifth amendment, which provides that no person shall be compelled to be a witness against himself.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. DOYLE. Mr. Goddard, I direct you to answer that question.

Mr. GODDARD. I decline to answer that question on the grounds previously stated.

Mr. ARENS. What was your occupation immediately prior to becoming a farmer?

Mr. GODDARD. I decline to answer that question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question, Mr. Goddard, the last question.

Mr. GODDARD. I decline to answer on the grounds previously stated.

Mr. ARENS. Have you ever been abroad?

MR. GODDARD. I will decline to answer that question on the grounds of the first and fifth amendments.

MR. ARENS. Have you ever been in Spain?

MR. GODDARD. I decline to answer on the same grounds.

MR. ARENS. You were a member of the Abraham Lincoln Brigade in Spain, were you not, Mr. Goddard?

MR. GODDARD. I decline to answer on the same grounds.

MR. ARENS. Mr. Wheeler is going to display to you a couple of documents bearing your signature which indicates you served in the Spanish Army in 1937.

Look at these documents and tell this committee of the Congress whether or not those are true and correct signatures of yourself.

(Documents marked "Exhibit No. 506a-c," see appendix, pp. 7989-7991.)

(The witness examines document and confers with his counsel.)

MR. GODDARD. I will decline to answer on the same grounds.

MRS. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness signs a voucher for his witness fees and per diem expenses, that that part of the voucher bearing his signature be incorporated in the body of the record so there may be a comparison of signatures.

MR. DOYLE. So ordered.

(Document marked "Exhibit No. 506d," see appendix, p. 7992.)

MR. ARENS. Mr. Goddard, you have been cultivating something else besides the soil around these parts in the last several years; have you not?

MR. GODDARD. I decline to answer on the same grounds.

MR. ARENS. We want to see if you have been cultivating public sentiment here on immigration matters.

Mr. Wheeler is going to lay before you a series of letterheads of the Los Angeles Committee for Protection of Foreign Born in which you are listed as one of the leaders of that group here.

Look at the letterheads and see if you are accurately described.

(See exhibit No. 502a, b, appendix, pp. 7983, 7984.)

(The witness examines documents.)

MR. GODDARD. I decline to answer on the same grounds.

MR. ARENS. Now we have still another document we want to invite to your attention. This is a Southern California Conference To Repeal the Walter-McCarran Law and To Defend Its Victims, and next is the Sixth Annual Conference To Repeal the Walter-McCarran Law and Defend Its Victims. And on each of these documents, duplicates of the original documents, we see your name listed as one of the sponsors.

Kindly look at those documents and be good enough to verify their authenticity for this committee.

(The witness examines documents.)

(Documents marked "Exhibit No. 507a, b," see appendix, pp. 7993, 7994, and exhibit No. 467, appendix, p. 7901.)

MR. GODDARD. I decline to answer on the same grounds previously stated.

(The witness confers with his counsel.)

MR. ARENS. Now, Mr. Goddard, did you ever live at 405 West Ely Street, E-l-y Street, in Ontario, Calif.?

Mr. GODDARD. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Would you accommodate the committee by looking at this photograph of a person, and tell us whether or not that is your photograph?

(Document marked "Exhibit No. 508," see appendix, p. 7995.)

(The witness examines photograph.)

Mr. GODDARD. I decline to answer on the grounds previously stated.

Mr. ARENS. We have here the list of the sponsors of the Southern California Conference To Defend the Rights of Foreign Born Americans, which includes a Howard Goddard identified here as an international representative of the Mine, Mill and Smelter Workers Union.

Please look at this document and tell us whether or not you are accurately identified as the international representative of the Mine, Mill and Smelter Workers Union.

(See exhibit No. 447, appendix, pp. 7870, 7871.)

(Representative Gordon H. Scherer left the hearing room at this point.)

(The witness examines document.)

Mr. GODDARD. I decline to answer on the grounds previously stated.

Mr. ARENS. Now the Mine, Mill and Smelter Workers Union was ejected from the CIO because the CIO found that it was Communist controlled; isn't that true?

Mr. GODDARD. I decline to answer that question on the grounds previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that concludes the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. VELDE. No questions.

Mr. DOYLE. The witness is excused.

Thank you.

Mr. ARENS. Mr. Morris Goodman, kindly come forward.

Mrs. ROSENBERG. He is out in the corridor.

Mr. ARENS. Would the marshal kindly page him? I understood someone to say he is out in the corridor.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOODMAN. I do.

Mr. DOYLE. Just be seated.

TESTIMONY OF MORRIS GOODMAN, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GOODMAN. My name is Morris Goodman—2113¼ Berendo Street—and I am a solicitor of general insurance.

Mr. ARENS. How long have you held that post?

(The witness confers with his counsel.)

Mr. GOODMAN. I will refuse to answer that question, but, in refusing, I am giving my refusal based upon the fact that I don't see how it would be within the purview of any legislative function of this com-

mittee as to how long I was occupied in any particular type of work such as I just mentioned and also to protect myself I invoke the first amendment, which gives me the right to be occupied and which gives me those rights: specifically I would invoke my constitutional privilege of the fifth amendment.

Mr. ARENS. You are appearing here today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. GOODMAN. I am.

Mr. ARENS. You are represented by counsel?

Mr. GOODMAN. I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mrs. ROSENBERG. Rose S. Rosenberg, b-e-r-g, of Los Angeles.

Mr. ARENS. I don't believe I got your address accurately there, Mr. Goodman.

Mr. GOODMAN. 211 $\frac{3}{4}$ North Berendo Street in Los Angeles.

Mr. ARENS. How long have you been engaged in your current occupation?

Mr. GOODMAN. This question, I believe, Mr. Arens, was previously asked me, and I invoked two constitution privileges, the first and the fifth. And I will again protect myself with those particular provisions: namely, the first and fifth.

Mr. ARENS. Let's pinpoint it a bit.

Do you honestly apprehend that if you told this committee truthfully how long you have been engaged in your present occupation you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. GOODMAN. Well, I will refuse to answer this question, but in my refusal I am not unmindful of the fact of what took place during the time of Torquemada.

Mr. DOYLE. Just a minute, Mr. Goodman. This is not a forum.

Mr. GOODMAN.. I am not—I am refusing to answer. It is going to be very brief, Mr. Doyle. If you will just be patient with me, I am a man of very few words.

Mr. DOYLE. Make them very few.

Mr. GOODMAN. I am, but please bear with me. I will not interrupt any member of your committee, and I ask the same courtesy to me. Whenever I am interrupted my brain or my thoughts go astray and then I have to start all over again.

Now will you please bear with me and do not—or any other member—interrupt me, and I guarantee you I will listen very patiently.

Mr. DOYLE. To make it clear, I will interrupt you if you plan to make a speech.

Mr. GOODMAN. I will not make any speeches.

Mr. DOYLE. All right. Then proceed.

Mr. GOODMAN. I started to say that I would refuse to answer this question and that I was not unmindful of the fact, in reading history, of what took place during the period of Torquemada. I am not unmindful of the fact of what took place during the Cotton Mather period and witch hunts in Salem. And I—

Mr. DOYLE. Just a minute.

Mr. GOODMAN. I am surrounded by you people here. Now I find myself—

Mr. DOYLE. I am interrupting you deliberately because you are making a speech that is not pertinent to this question.

Mr. GOODMAN. I refuse to answer at this point.

Mr. DOYLE. I am instructing you to answer the question and stop your speech.

(The witness confers with his counsel.)

Mr. DOYLE. Now go ahead.

Mr. GOODMAN. The question that I believe was propounded to me was: Are you honestly afraid?

(Representative Gordon H. Scherer returned to the hearing room at this point.)

Mr. GOODMAN (continuing). And I can tell you that I am sincerely and honestly afraid of this committee and the atmosphere in which I find myself, and I am fearful of the entire proceedings. And, in order to make sure that I am not giving up any of my rights, I will now invoke both the first and the fifth amendments.

Mr. ARENS. Do you want to express yourself on Budapest while you have taken us around the world to various geographical areas?

Mr. GOODMAN. I said in the——

Mr. ARENS. Was there any recent event in Budapest that may have stimulated your thinking?

(The witness confers with his counsel.)

Mr. GOODMAN. Are you asking me my opinion?

Mr. ARENS. You were giving us geographical areas as indications of certain events that occurred, created great——

Mr. GOODMAN. I am concerned——

Mr. ARENS. Emotional experiences within your mind. I thought perhaps you might want to allude to Budapest because it is so fresh in all our minds.

Mr. GOODMAN. I am concerned with things that happen all over the world.

Mr. ARENS. Were you concerned with what the Communist conspiracy did in Budapest?

Mr. GOODMAN. I am concerned with many things.

Mr. ARENS. Let us be specific.

Are you concerned with what the Communist conspiracy——

Mr. GOODMAN. I will refuse to answer this question.

Mr. ARENS. You don't want to talk about the Communist conspiracy?

Mr. GOODMAN. What?

Mr. ARENS. The Communist conspiracy.

Mr. GOODMAN. I wasn't speaking about anything.

Mr. ARENS. You are a man of few words. You have been doing quite a good deal of talking for a few minutes. Orate for a few minutes, if you would, please, on the Communist conspiracy and what you know about it.

Mr. GOODMAN. I previously told you that I was fearful of this committee. And, therefore, I must invoke both the first and fifth amendments.

Mr. ARENS. How old are you, Mr. Goodman? Could you tell us that?

Mr. GOODMAN. Mr. Arens, does it have anything to do with legislation?

Mr. ARENS. It will in just a moment if you will kindly answer the question for us.

Mr. GOODMAN. Are you going to make a new old-age bill? I want to know because I believe—

Mr. ARENS. Mr. Chairman, I suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. You are instructed to answer the question.

Mr. GOODMAN. I will invoke both the first and fifth amendments, and refuse to answer.

Mr. ARENS. Now we want to show you an exhibit: "Happy Birthday Morris Goodman. A Good Man." On his birthday. There is going to be interesting entertainment. He is "a jolly good fellow" and "a right kind of a guy." All under the auspices of the Los Angeles Committee for Protection of Foreign Born. Look at that little leaflet and tell us whether or not you remember that festive occasion on which you had your birthday celebrated by the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 509," see appendix, p. 7996.)

(The witness confers with his counsel.)

Mr. ARENS. You, being a man of few words, could answer that question, I am sure, either "Yes" or "No."

Do you remember it?

Mr. GOODMAN. You have asked me now 2 or 3 questions. I wish you would ask me one question.

Mr. ARENS. I will certainly accommodate you. Just strike all the questions.

Do you remember that festive occasion on which you were felicitated by the Los Angeles Committee for Protection of Foreign Born?

Mr. GOODMAN. I know of no law that prohibits the celebrating of anybody's birthday.

Mr. ARENS. Not at all. And we want you to tell us about it. We are not trying to inhibit you at all. We want you to talk, even though you are a man of few words, on communism.

Tell us whether or not you recall that little occasion on which you were felicitated by the Los Angeles Committee for Protection of Foreign Born.

Mr. GOODMAN. I then will have to refuse, and I will invoke both the first and fifth amendments.

Mr. ARENS. Why?

Mr. GOODMAN. This, too, I will invoke my previous privileges, namely, the first and fifth.

Mr. ARENS. We have here a couple of checks.

Somebody, by the way, has misspelled Angeles. I am surprised an organization of this extent and interest would misspell Angeles: L-o-s A-n-e-g-l-e-s.

Two checks of the Los Angeles Committee for Protection of Foreign Born, payable to Morris Goodman, and they are both endorsed Morris Goodman, Los Angeles Committee for Protection of Foreign Born, which would lead me to believe, as a lawyer, that the Los Angeles Committee for Protection of Foreign Born and Morris Goodman must have some connection for that endorsement to take place.

Now would you help this committee in its legislative purposes by telling us whether or not that is your signature endorsing the checks

of the Los Angeles Committee for Protection of Foreign Born? And you can do so in a few words.

(Document marked "Exhibit No. 510," see appendix, pp. 7997, 7998.)

(The witness examines documents and confers with his counsel.)

Mr. GOODMAN. I will invoke both the first and fifth amendments, and refuse to answer this particular question.

Mr. ARENS. Now we have a copy of the Communist Daily People's World with reference to a bail bond committee created for the purpose of causing the temporary freedom for a David Hyun, H-y-u-n, who, by the way, was before this committee yesterday.

According to this Communist Daily People's World, Morris Goodman is the bail fund treasurer. And it quotes Morris Goodman here in this article. This is the Communist Daily People's World.

Tell this committee if this publication accurately and truthfully identified you and quoted you in your capacity as treasurer of the Hyun bail fund.

(Document marked "Exhibit No. 511," see appendix, pp. 7999, 8000.)

(The witness examines document and confers with his counsel.)

Mr. GOODMAN. Mr. Arens, would you please repeat the question. I have lost track of it.

Mr. ARENS. Yes. Does this publication accurately describe you when it says you were treasurer of this bail fund for Hyun, the Communist who was up for deportation?

Mr. GOODMAN. First of all, is it illegal to post bail for anybody?

Mr. ARENS. No. We want you to tell us about it. There is nothing illegal about posting bail if it is done legitimately and by a legitimate organization. So just tell us about it now. If what you did was legitimate and was not part of a conspiratorial apparatus, just tell us about it.

Mr. GOODMAN. I misunderstood you.

Mr. ARENS. Just say was it you or was it not you.

Mr. GOODMAN. I will refuse to answer this question, and I will invoke both the first and fifth amendments.

Mr. ARENS. Now we want to lay before you letters on the letterheads of the Los Angeles Committee for Protection of Foreign Born, in which your name appears as one of the leaders of that organization, at various dates indicated on the letters.

Please look at those and tell us whether or not you are accurately described in those letterheads.

(See exhibit No. 502a, b, appendix, pp. 7983, 7984.)

(The witness examines documents and confers with his counsel.)

Mr. ARENS. Would you kindly answer the question.

Mr. GOODMAN. My counsel is protecting my interest by copying down some of this information for my protection. So please be patient, Mr. Arens.

Mr. ARENS. Well, if you would kindly answer the question we will let the counsel copy all day. We want to move along.

Mr. GOODMAN. I will refuse to answer that question, and I will invoke both the first and fifth amendments.

Mr. ARENS. Now do you know a person by the name of Marion Miller?

(The witness confers with his counsel.)

Mr. GOODMAN. I will refuse to answer this question both on the first and the fifth amendments.

Mr. ARENS. Do you know Marion Miller took an oath before the Subversive Activities Control Board back in Washington and swore to tell the truth, and she laid her liberty on the line knowing that if she lied she would be prosecuted for perjury?

(The witness confers with his counsel.)

Mr. DOYLE. Just a minute. Make sure that the witness is listening to you.

Mr. ARENS. Marion Miller told the Subversive Activities Control Board while she was under oath that she knew you as a member of the Communist Party.

Was Marion Miller perjuring herself? Was she lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. GOODMAN. The name that you mention apparently is your witness and not mine. And, therefore, I would refuse to answer this question, and I will invoke both the first and the fifth amendments.

Mr. ARENS. Do you know a man by the name of Max Silver?

Mr. GOODMAN. The same answer to this question that I gave in the preceding question.

Mr. ARENS. Now Max Silver testified under oath, laid his liberty on the line, and said he knew you as a member of the Communist conspiracy when he testified before the House Committee on Un-American Activities.

Was Max Silver lying or was he telling the truth?

Mr. GOODMAN. Apparently he is your witness, Mr. Arens. I will refuse to answer this question.

Mr. ARENS. Well, was he lying?

Mr. GOODMAN. Let me—just a minute, Mr. Arens. I told you before if you—

Mr. ARENS. I am sorry to interrupt you.

Mr. GOODMAN. Don't apologize. Don't be sorry. Just be courteous and let me listen to you, and I will answer you. And let there not be any interruptions here. Now I have to start all over again.

Mr. ARENS. I am awfully sorry about that. Just tell us now.

Mr. GOODMAN. Ask your question.

Mr. ARENS. Tell us now, in as few words as possible, was Max Silver lying when he identified you as a member of the Communist conspiracy?

Mr. GOODMAN. I started to tell you before, apparently this person is your witness. And, therefore, I will refuse to answer the question. I will invoke both the first and the fifth amendments.

Mr. ARENS. You were fired from the job you had immediately prior to your present job; were you not?

(The witness confers with his counsel.)

Mr. GOODMAN. I will refuse to answer this question, and I will base my refusal on the first and the fifth amendments.

Mr. ARENS. Did you ever work for B'nai B'rith?

(The witness confers with his counsel.)

Mr. GOODMAN. Did I hear Congressman Scherer ask me a question?

Mr. ARENS. Did you ever work for B'nai B'rith?

Mr. GOODMAN. No. I heard an intervening question.

Mr. DOYLE. He was speaking with me.

Mr. ARENS. Did you ever work for B'nai B'rith?

Mr. GOODMAN. We are now inquiring into the area of my associations.

Where I belong, where I work, I believe I have that right to do under the provisions of the Constitution of the United States in which we live.

I will refuse to answer this question, and I will invoke both the first and fifth amendments.

Mr. SCHERER. Pardon me just a minute.

If you say you have a perfect right—which we think you do, certainly working for B'nai B'rith is a legal occupation—how could you possibly incriminate yourself if you told us whether you worked for B'nai B'rith?

Mr. GOODMAN. Mr. Congressman Scherer, I prefaced my remarks at the initial part of this proceeding by answering Counsel Arens, when he asked me was I fearful of this committee or fearful of the answer, and I think I made it quite specific that the entire area in which I find myself, the entire atmosphere, makes me fearful of any question that you may ask no matter how innocently phrased.

But, in order to make sure that I am not giving up any of my rights, I will refuse to answer that question, and I will invoke both the first and the fifth amendments in my refusal.

Mr. ARENS. I put it to you as a fact, sir, and I ask you to affirm or deny the fact, that B'nai B'rith fired you when B'nai B'rith learned that you were a member of the Communist conspiracy.

(The witness confers with his counsel.)

Mr. GOODMAN. In order to save time, I will invoke the same answer, and I will invoke the first and fifth amendments.

Mr. ARENS. I put it to you as a fact also that you were a delegate to the fifth annual conference to protect the rights of foreign-born Americans representing the Jewish-American Cultural Club in the Los Angeles area.

(The witness confers with his counsel.)

Mr. GOODMAN. I believe the question embodied the fact that—in order to make sure, would you please repeat your question?

Mr. ARENS. Mr. Reporter, would you kindly read the question back to the witness.

(The record was read by the reporter.)

Mr. GOODMAN. Foreign-born people should have protection just the same as animals, birds—

Mr. ARENS. Of course, they should. And they ought to have legitimate protection. Just go ahead and tell us about that.

Mr. GOODMAN. Fishes. Well, I will refuse to answer this question, and I will invoke both the first and the fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. VELDE. No questions.

Mr. DOYLE. Mr. Arens, may I ask this question before the testimony on that witness is closed.

You referred to Marion Miller and Max Silver. Are they both Los Angeles residents?

Mr. ARENS. Let me confer with Mr. Wheeler just a moment. Yes, sir.

Mr. DOYLE. Thank you.

May I ask that we have a recess?

Mr. ARENS. Whenever it meets the pleasure of the committee.

Mr. DOYLE. Then the committee will stand in recess until a quarter of two.

(Whereupon, at 12 noon, the committee was recessed, to be reconvened at 1:45 p. m. Committee members present: Representatives Doyle, Velde, and Scherer.)

AFTERNOON SESSION—FRIDAY, DECEMBER 7, 1956

(The subcommittee was reconvened at the expiration of the recess, at 2 p. m. Committee members present: Representatives Doyle, Velde, and Scherer.)

Mr. DOYLE. The meeting will please come to order.

Mr. Wheeler notifies me that it is apparent one Joseph Kline is ill, and he is under subpoena. This is to notify the attorney for Joseph Kline that the subpoena is quashed, and he will not be called.

Do you know who made that remark? If you do, eject the man.

If you can't be respectful and observe the amenities of a congressional hearing you ought to leave the room. I don't care who it is. Let me make this clear, please.

If the person ejected from the room is a witness, he is not excused from his subpoena. He is ejected from the room because he is disturbing the peace of the committee. And his subpoena is not quashed. He will be called later as a witness.

It is too bad that a few smart alecks haven't courtesy enough to respect the purpose for which this hearing is called but try to destroy the pleasure of other people. But as long as I am chairman of this subcommittee, I am not able to excuse anyone from deliberate discourtesy in trying to disrupt the meeting. And they might just as well understand that. That applies to everybody, whoever they are. They will have to be an American citizen first in a public meeting.

Are you ready, Mr. Arens?

Mr. ARENS. Yes, sir. Rose Chernin, C-h-e-r-n-i-n. Kindly come forward.

Mr. DOYLE. Mrs. Chernin, will you please raise your right hand and be sworn.

That is your left hand. Your right one. Thank you.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you, God?

Mrs. KUSNITZ. I do.

TESTIMONY OF MRS. ROSE CHERNIN KUSNITZ, ACCOMPANIED BY COUNSEL, A. L. WIRIN AND JOHN W. PORTER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. KUSNITZ. My name is Rose Chernin. I live at 3048 Victoria Avenue. And, in respect to my occupation, I would like to consult with counsel.

(The witness confers with her counsel.)

Mr. WIRIN. May our appearance be entered at this time, Mr. Chairman?

Mr. DOYLE. Yes. While Mr. Arens is busy, will the attorneys identify themselves for the record.

Mr. WIRIN. I will state who I am. My name is A. L. Wirin, and I am associated with—

Mr. PORTER. John W. Porter.

(The witness confers with her counsel.)

Mrs. KUSNITZ. Because of the character of these hearings, the witch-hunt character of these hearings, I refuse to answer the question as to my occupation, and claim the privilege under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer the question.

Mrs. KUSNITZ. I refuse, and claim the privilege under the first and fifth amendments as I stated before.

Mr. ARENS. Are you Miss or Mrs. Chernin?

Mrs. KUSNITZ. My name is Mrs. Chernin.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. KUSNITZ. Yes.

Mr. ARENS. That subpoena is a subpoena duces tecum, Mrs. Chernin, requiring you to produce before this Committee on Un-American Activities certain documents, principally documents which are in the nature of letters and correspondence between the Los Angeles Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born relating to the Smith Act, the Internal Security Act, the Immigration and Nationality Act and excerpts from certain minutes of designated meetings.

Are you the custodian of the documents called for in the subpoena duces tecum?

Mr. WIRIN. Before that is answered may the entire subpoena be in this record?

Mr. ARENS. Would you kindly answer the question.

Mr. WIRIN. Mr. Chairman, is it proper to ask that the subpoena be—

Mr. ARENS. I suggest that counsel be advised his sole and exclusive prerogative is to advise his client.

Now would you answer the question.

Mrs. KUSNITZ. Would you please repeat the question.

Mr. WIRIN. May we have a ruling on that?

Mr. DOYLE. You instruct your witness, Mr. Wirin, and we will make the record as required.

Mr. ARENS. Will you kindly answer the question.

Mr. WIRIN. May I confer with Mrs. Chernin for a moment.

(The witness confers with her counsel.)

Mrs. KUSNITZ. Before I answer this question may I request the chairman that my subpoena be placed in the record?

Mr. ARENS. Mr. Chairman, that will be done in due course. We have an orderly procedure we have followed in this committee for years. If counsel has been reading the records of this committee he

would know it. Counsel also should know that his sole and exclusive prerogative is to advise his witness.

Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

(The witness confers with her counsel.)

Mrs. KUSNITZ. Will you please repeat the question.

Mr. ARENS. Are you the custodian of the records which are called for in the subpoena duces tecum which was served upon you?

Mrs. KUSNITZ. I refuse to answer this question on the grounds of the first and fifth amendments.

Mr. DOYLE. I instruct the witness to answer that question.

Mrs. KUSNITZ. I refuse to answer this question.

Mr. ARENS. Mr. Chairman, solely for the purpose of establishing in this record the status of this particular witness with reference to the Los Angeles Committee for Protection of Foreign Born, we have a number of exhibits which we want to be introduced into this record.

Now, Mr. Wheeler will display to you the report of the American Committee for Protection of Foreign Born, by Rose Chernin, designated as executive director, Los Angeles Committee for Protection of Foreign Born.

Kindly look at this document and tell this committee whether or not you will verify the authenticity of the document.

(Document marked "Exhibit No. 512," see appendix, pp. 8001-8005.)

(The witness confers with her counsel.)

Mr. SCHERER. May I ask counsel a question while they are deliberating.

Counsel, you say this witness is required to bring certain records under that subpoena?

Mr. ARENS. Yes, sir. And after we have established in this record her identity as executive director of the Los Angeles Committee for Protection of Foreign Born, I anticipate a direction by the chairman to this witness to forthwith produce such records.

Mr. SCHERER. Go ahead.

Mr. ARENS. Would you kindly answer the question?

(The witness confers with her counsel.)

Mrs. KUSNITZ. Will you please repeat the question?

Mr. ARENS. Kindly look at the exhibit which Mr. Wheeler has just displayed to you, in which you are identified as executive director of the Los Angeles Committee for Protection of Foreign Born, and tell the committee whether or not that is a true and correct identification of yourself.

Mrs. KUSNITZ. I refuse to answer this question on the grounds of the first and fifth amendments.

Mr. ARENS. Madam Witness, we lay before you photostatic copies of the signature cards of the California Bank, bearing the signature of Rose Chernin as executive director of the Los Angeles Committee for Protection of Foreign Born.

Kindly look at those and see if you will be good enough to attest to their authenticity.

(Documents marked "Exhibit Nos. 513 and 514," see appendix, pp. 8006, 8007.)

(The witness confers with her counsel.)

Mrs. KUSNITZ. I refuse to answer this question on the grounds previously stated.

Mr. ARENS. Now we lay before you a number of checks signed by Rose Chernin for the Los Angeles Committee for Protection of Foreign Born, and we ask you to kindly look at those and verify their authenticity.

(Documents marked "Exhibit No. 515," see appendix, pp. 8008-8017.)

(The witness confers with her counsel.)

Mrs. KUSNITZ. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as and when this witness signs a voucher for her per diem and witness fees, that part of the voucher bearing her signature be incorporated in the body of the record for the purpose of comparing signatures.

Mr. DOYLE. It will be so directed.

(Document marked "Exhibit No. 516," see appendix, p. 8018.)

Mr. ARENS. Now, Witness, we lay before you a number of exhibits of the letterheads and other documents of the Los Angeles Committee for Protection of Foreign Born, bearing the signature Rose Chernin, executive secretary, as the various dates indicate.

We ask you to kindly look at those and if you would be so good to verify their authenticity.

Mrs. KUSNITZ. Same answer.

Mr. ARENS. Now, Mr. Chairman, in view of the status of the record at the present time, I respectfully suggest that the record now reflect the full text of the subpoena duces tecum served upon this witness, with a direction to the witness by the chairman now to forthwith produce before this committee the documents called for in the subpoena duces tecum.

Mr. DOYLE. You have heard the statement by counsel, Mrs. Chernin. I adopt his language for my direction to you to now produce each and all of the documents specified in the subpoena duces tecum which was served upon you.

(The witness confers with her counsel.)

Mr. ARENS. Would you kindly, Mr. Chairman, order now that the body of the subpoena duces tecum be incorporated in the record.

Mr. DOYLE. I direct that the copy of the subpoena duces tecum which was served upon you be incorporated in the record of this hearing.

(Document marked "Exhibit No. 517a, b," see appendix, pp. 8019, 8020.)

(The witness confers with her counsel.)

Mrs. KUSNITZ. I have brought no records or documents.

Mr. ARENS. Where were—

Mr. WIRIN. Excuse me. May she answer?

Mr. ARENS. Counsel, you advise your client. Continue with your answer, please, Witness.

Mr. WIRIN. Thank you.

Mrs. KUSNITZ. May I answer your first question, Mr. Arens?

Mr. ARENS. Go right ahead.

Mrs. KUSNITZ. I have brought no records or documents because it is my sincere conviction, first, that this committee has no power or right to compel any person to produce before it records relating to efforts to repeal, revise—

Mr. ARENS. You are reading from that statement before you?

Mrs. KUSNITZ. I am referring to the statement.

Mr. ARENS. And tell us, while you are referring to it, who prepared the statement.

Mr. WIRIN. May she finish her answer?

Mr. ARENS. You know your sole and exclusive prerogative is to advise your client.

Mr. DOYLE. Mrs. Chernin, let me explain.

I think you probably already know, if you are reading from a statement, that is one thing. If it is a prepared statement, as you know, the rules of the committee are that any prepared statement shall be submitted to the committee.

So, if you are reading from a prepared statement now without having submitted it to the committee, you are in violation of the committee rules.

(The witness confers with her counsel.)

Mr. DOYLE. On the other hand, if you are merely referring to a statement or memorandum, that is different.

I think, as a matter of good faith with the committee, you should state what you are doing.

Are you reading a statement?

Mrs. KUSNITZ. I am referring to notes that I made.

Mr. ARENS. Did you make those notes?

Mrs. KUSNITZ. Under the circumstances—I will answer one question at a time.

Under the circumstances that I find myself, with five trained attorneys and a hostile committee, I think I should be given the courtesy to answer the questions from notes that I have prepared. It is not a prepared statement in that reference. Notes. I am not a trained legal attorney.

Mr. ARENS. Now kindly answer the question. Did you prepare those notes?

Mrs. KUSNITZ. I am surprised at you asking such a question. Are you inferring that I am incapable of preparing my answer?

Mr. ARENS. I suggest that this lady be ordered to answer the question, Mr. Chairman.

Mr. DOYLE. Manifestly, you are very capable. But certainly it is fair to the committee to state whether or not they are your memoranda or whether or not someone else prepared them for you.

If you are referring to your notes, that is perfectly proper. But if someone else has given you a statement, then we are entitled to know it.

Mr. WIRIN. She has said they are her notes, Mr. Chairman. The record will show that.

Mr. ARENS. Counsel knows——

Mr. WIRIN. Please don't lecture to me.

Mr. ARENS. You and I may tangle before we get through here because you are not going to run this procedure.

Mr. WIRIN. I won't be the first one you have tangled with.

Mr. ARENS. You won't be the last one.

Mr. DOYLE. Mrs. Chernin, that is a fair question. Cooperate with us. Did you make those notes yourself or did someone else?

Mrs. KUSNITZ. I refuse to answer this question because I consider this an invasion of my rights to counsel.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer the question.

Mrs. KUSNITZ. I refuse on the grounds stated.

Mr. DOYLE. Then I am asking you, as chairman, to produce the paper from which you are reading instead of holding it under the table.

(The witness confers with her counsel.)

Mrs. KUSNITZ. Mr. Chairman, I will be happy to produce these notes to you after I am finished.

Mr. DOYLE. I am asking you to do it now because I think we are entitled to know from what you are reading. If they are your notes—O. K. But if they are somebody else's notes we are entitled to see from what you are reading.

(The witness confers with her counsel.)

Mr. DOYLE. You are in the presence of a rule which says that any prepared statement shall be furnished to the committee. You are referring, according to your own statement, to notes that at least were prepared before the meeting. But they haven't been submitted to the committee. And they don't have to be if they are memoranda. But if it is a prepared statement it has to be.

Now why do you hesitate in letting us know or see whether or not it is a speech or prepared notes?

Mr. PORTER. Because she is trying to answer your questions, Mr. Chairman, and you don't give her a chance to. That is why.

Mr. ARENS. Comrade Porter, let's not have any further outbursts from you.

Mr. Chairman, I respectfully suggest that counsel be admonished now that his outbursts will not be tolerated by this committee, and if he does not restrain himself and exercise proper decorum he, likewise, will be ejected from this hearing room.

Mr. WIRIN. I am one of counsel here, and I resent any colleague of mine being insulted or referred to by Mr. Arens—is that fair? Would you do it? As a lawyer?

Mr. DOYLE. Just a minute.

Mr. WIRIN. Or you, Mr. Scherer?

Mr. SCHERER. Look, Mr. Wirin, I tangled with you the last time. I have tried to keep quiet. I have tried to keep quiet——

Mr. WIRIN. Please do so now.

Mr. SCHERER. During your outbursts. If you don't desist, if you don't——

You talked to me now. You addressed yourself to me. I have kept quiet. And if you don't, I am going to ask the Los Angeles Bar to look into your conduct.

Mr. WIRIN. I wish you would.

Mr. SCHERER. Because I am sick and tired of your conduct since I have been coming to Los Angeles.

Mr. WIRIN. Why don't you do it? I ask you to do it.

Mr. SCHERER. I am. It is about time they do something in this county.

Mr. WIRIN. Let me talk to an older and wiser man.

Mr. DOYLE. Keep quiet, please.

Mrs. Chernin. I am going to take the initiative as chairman of the committee. I can't tell whether you are violating the rules of this committee or not because you are holding the document from which

you are reading under the table. You are not putting it on top of the table so it can be seen. And I am going to refuse to allow you to refer to that paper unless you produce it.

Mr. WIRIN. May we speak to the woman?

Mr. DOYLE. Yes. Manifestly you are able to testify without notes. (The witness confers with her counsel.)

Mrs. KUSNITZ. Mr. Chairman, these—this is not a speech and not a prepared statement in the sense that I understand a prepared statement. These are notes which I prepared. And if you insist on seeing them now you can do so.

(Document handed to the chairman.)

Mr. DOYLE. Thank you for your cooperation.

Mrs. KUSNITZ. And may I ask that you make this part of the record, please.

Mr. WIRIN. These are her reasons, you understand, Mr. Doyle. They are brief.

Mr. DOYLE. I can read.

Now this that you handed me, Mrs. Chernin, is a typewritten sheet. Everything on it is typewritten.

Did you type them?

(There was no response.)

Mr. DOYLE. You can answer that question.

Did you type them?

Mrs. KUSNITZ. Yes; I did.

Mr. WIRIN. It is a legal reason—

Mr. SCHERER. She has a right—

Mr. DOYLE. Mrs. Chernin, I think it is entirely proper for you to refer to that if you wish.

Mrs. KUSNITZ. I was going to say to you, Mr. Chairman, that if you wish to read it into the record, I certainly yield.

Mr. DOYLE. No. But you are entitled, in my judgment, to refer to that in your reply to questions.

Mrs. KUSNITZ. Mr. Chairman, may I ask you to ask counsel of the committee to refrain from attacking my attorney?

I consider this attack provocation enough for my attorney not to wish to defend me.

Mr. VELDE. And you, in exchange, tell your attorneys not to attack the committee and violate its rules which they well know.

Mr. DOYLE. Let's proceed, Mrs. Chernin. We called you first this afternoon as a cordial courtesy to your counsel because he wanted to get away promptly. And we are glad to do it. So let's not have any of these unimportant arguments, please. Go ahead. We wanted to accommodate Mr. Wirin and you, too.

Mr. SCHERER. You may, but I don't.

Mr. WIRIN. You will change your mind.

Mr. DOYLE. What was the last question?

Mr. ARENS. The witness was in the process of reading a prepared statement.

Mr. WIRIN. She had said it was not a prepared statement.

Mr. ARENS. Now, Counsel, you must understand your sole and exclusive prerogative here is to advise your client.

Mr. DOYLE. Let me make this entirely clear, please.

The statement appears to me as entirely more than a memorandum. It is a consecutive, well-made statement in typewriting. Each point is well argued. It is far more than a memorandum in my judgment.

But go ahead, for the sake of time, and refer to it. It is far more than a memorandum.

Mr. SCHERER. It is a legal document.

Mr. DOYLE. Please go ahead.

Mrs. KUSNITZ. Mr. Chairman, this is—I consider this a memorandum, and I shall refer to it. I have brought no records or documents because it is my sincere conviction, first, that this committee has no power or right to compel any person to produce before it records relating to efforts to repeal, revise or influence the revision or repeal of the Walter-McCarran law or any other legislation.

For the committee to demand such records violates the first amendment to the Constitution.

If I were to comply I would contribute to that violation. This I am unwilling to do as an American.

The second reason: I am advised by counsel that the subpoena is so broad, so vague and sweeping as to constitute an illegal search and seizure under the fourth amendment.

Then, third, in my opinion, this committee has no lawful authority to exist or to issue subpoenas of any kind. But, even if it had this authority, the documents demanded in that subpoena are not pertinent to any authority which it claims.

The fourth: I assert my right under the fifth amendment not to be a witness against myself.

And, finally, I invoke every right given to me under the Constitution and Bill of Rights to express my belief that it is a monstrous outrage for this committee to use its powers to prevent Americans from seeking to influence public opinion for the revision or repeal of this vicious, racist Walter-McCarran law, and I regret sincerely that Mr. Walter is not present so that I could address him personally.

Mr. DOYLE. Mrs. Chernin, I think I am entitled to have the record show that you clearly read every word you spoke. You didn't refer to that as a memorandum at all, and I think it was clear to everyone that you read the document. You were reading from the document.

Mr. SCHERER. May I make this further observation, Mr. Chairman. She testified under oath that she had prepared that document. It should be obvious to everybody that she is not telling the truth when she said she prepared that document. That is a legal document, well done.

Mr. WIRIN. That is a very unfair remark, and, as a lawyer, I resent it.

Mr. ARENS. Mr. Chairman, I respectfully suggest that counsel be now admonished if he does not restrain himself and comply with the rules of the committee that the committee will order him removed from the hearing room.

Mr. WIRIN. Do I have to sit and hear someone call my client a liar in this hearing? This is a disgrace.

Mr. VELDE. I move he be ejected from the courtroom immediately.

Mr. SCHERER. I call for a vote.

Mr. WIRIN. I appeal to your sense of conscience and fair play.

Mr. SCHERER. I am not going to put up with this any more.

Mr. VELDE. I am not either.

Mr. SCHERER. And I am just surprised that the Los Angeles bar has put up year after year with the conduct of you gentlemen before this committee. I have been here three times.

Mr. WIRIN. May I answer or do I have to sit quiet?

Mr. SCHERER. I move that the lawyer be removed from the courtroom.

Mr. VELDE. I move the previous question.

Mr. DOYLE. The question you have heard.

Mr. Scherer?

Mr. SCHERER. Aye.

Mr. DOYLE. Mr. Velde?

Mr. VELDE. Aye.

Mr. SCHERER. We do not have to come here and take this kind of conduct.

Mr. DOYLE. That is the ruling of the committee.

Mr. WIRIN. Now what do you want me to do?

Mr. SCHERER. You can leave voluntarily or the marshal will take you.

Mr. WIRIN. I will not leave voluntarily. I will leave short of being ousted. I will not resist physically any marshal.

But is that your order, Mr. Chairman?

Mr. DOYLE. You heard the motion, and it was carried by the majority of the committee. And I regret that—because we are all members of the bar, and so are you—

Mr. WIRIN. Yes.

Mr. DOYLE. But in my judgment, Al Wirin, you clearly continued to violate the rules of the committee after fair warning. There is no question in my mind that you did it. And we are all sorry that you did insist on doing it, but we can make no exceptions. You know that.

Mr. WIRIN. All I did was object to my client being called a liar. Mr. Doyle. Don't you think you would have done it if you were her lawyer?

Mr. DOYLE. I wouldn't have violated the rules of a committee before which I was appearing as an ethical lawyer.

Mr. WIRIN. You wouldn't sit and have your client insulted.

Mr. DOYLE. I would either comply with the rules of the committee or I would refuse to be hired to come before a body.

Mr. WIRIN. I didn't expect that I would be insulted or my client would be insulted by being called a liar.

Mr. VELDE. Regular order. I move that he be escorted out.

(Whereupon, Mr. Wirin was escorted from the room by the marshal.)

Mr. PORTER. In view of the interference with counsel of this witness and removal of associate counsel, Mr. A. L. Wirin, I feel that it is impossible for this witness to be accorded her constitutional right of counsel before this committee, as the conduct of this committee has demonstrated. And, as one of counsel, I feel compelled now to withdraw upon the grounds that I cannot, under the circumstances, discharge my duty to my client whom I am sworn to represent here today.

(Whereupon, Counsel Porter stepped down from the witness stand.)

Mr. SCHERER. I move the witness' subpoena be continued until tomorrow morning, and she report at 9:30, at which time she will obtain new counsel.

Mr. DOYLE. The subpoena of Mrs. Chernin will be continued until tomorrow morning in this room at 9:30.

We will expect you, Mrs. Chernin, to come tomorrow morning prepared with counsel to proceed under the subpoena.

Mrs. KUSNITZ. Mr. Chairman, May I say this—

Mr. DOYLE. Because I will assure you, Mrs. Chernin, that, regardless of what your counsel has done, either deliberately or otherwise—and I say that advisedly—either deliberately or otherwise, whatever they have done will not place this committee in a position where we are not going to hear your testimony. We are going to insist upon getting your testimony and having you comply with the subpoena the same as any other witness. So if it is just—

Mrs. KUSNITZ. Mr. Chairman?

Mr. DOYLE. Yes, Mrs. Chernin.

Mrs. KUSNITZ. May I protest the conduct of this committee. As far as I am—

Mr. DOYLE. You have done it. In your other statement you did it.

Mrs. KUSNITZ. Mr. Doyle, I didn't interrupt you. And I think since I am here—

Mr. DOYLE. No. You have heard me continue your subpoena until tomorrow morning.

Mrs. KUSNITZ. I cannot be here tomorrow morning because my subpoena, the subpoena that you have issued, was for the 2 days that passed. I have made plans which I cannot cancel, and therefore I think—and I have been subjected here to insults on the part of your members of your committee, and I cannot return tomorrow.

Mr. DOYLE. You are ordered to be here tomorrow morning at 10 with your papers which we specified in the subpoena, prepared to answer questions.

Mrs. KUSNITZ. I cannot be here tomorrow because of plans I have made. I am here, complying with the subpoena to be here today and tomorrow. And I have been subjected to gross insults—and I resent it—on the part of the congressional, so-called congressional, committee.

Mr. DOYLE. Do you have the statement that you read, Mrs. Chernin? We would like to include it in the record.

Mrs. KUSNITZ. I have to consult counsel at this point whether I should.

Mr. DOYLE. You are ordered to appear tomorrow morning at 10 with the books and records that you were subpoenaed to bring.

Mr. SCHERER. Let's go a little step further on this.

Do you have that or does your counsel have that statement?

Mrs. KUSNITZ. No. I have it. It is mine.

Mr. DOYLE. Do you have the statement you read?

Mrs. KUSNITZ. It is not a statement. They are notes that I compiled.

Mr. SCHERER. You compiled them yourself? You wrote those notes?

Mrs. KUSNITZ. That is right. And I resent your—

Mr. SCHERER. You wrote them?

Mrs. KUSNITZ. Your insulting remarks, for a Congressman. You certainly aren't acting correctly.

Mr. DOYLE. Call the next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Jerome Land. Kindly come forward.

Mr. DOYLE. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAND. I do.

Mr. DOYLE. Please have a chair.

TESTIMONY OF JEROME LAND

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. Chairman, may we have order? There is considerable talking in the hearing room. It is difficult to hear the witness.

Kindly identify yourself by name, residence and occupation.

Mr. LAND. My name is Jerome Land, L-a-n-d. I am in the automobile business in California. And I don't believe I should state my home address. I believe the committee already has it, and it would serve no purpose before this committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct you to answer the question.

Mr. LAND. Congressman—Chairman Doyle, I am not doing this facetiously or in order just to cause a delay of time.

I think I have a valid reason for not wanting to state my home address because, first of all—and it is valid—I think the committee has my address, and it has so stated to me. I think the only purpose, if I may mention my other reason—

Mr. DOYLE. Just a minute, Mr. Land. I am going to interrupt you.

You are entirely privileged, and we thank God you are—under the United States Constitution which gives that right to a person who believes he will be incriminated. He can make that plea in good faith, and he is entitled to plead it.

Mr. LAND. That is what I am trying to do.

Mr. DOYLE. Go ahead and plead your constitutional privilege if you believe you should. But I have instructed you to answer the question.

Mr. LAND. I believe I should invoke my constitutional rights. I believe the purpose of the question is just to harass myself—

Mr. DOYLE. No, no.

Mr. LAND. By publishing my address in the newspapers just as they were yesterday when many innocently gave their address. This committee knows my address. That could be the only reason, and I will invoke my constitutional privileges; namely—

Mr. DOYLE. It is for the purpose of identifying who you are.

Mr. LAND. I stated who I am. I am Jerome Land. I have stated that.

Mr. DOYLE. Go ahead and complete your constitutional grounds.

Mr. LAND. I invoke the first and fifth amendments in not answering that question. I think it is an invasion of my rights.

Mr. ARENS. Is the record clear he has been ordered and directed to answer that question?

Mr. SCHERER. He has invoked the first and fifth amendments.

Mr. ARENS. You are appearing in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. LAND. That is correct.

Mr. ARENS. You yourself are a lawyer; are you not?

Mr. LAND. I am not practicing at the present time.

Mr. ARENS. You are an attorney, however?

Mr. LAND. That is right.

Mr. ARENS. You have been trained in the law?

Mr. LAND. That is correct. And I may state I appear without counsel at this hearing, having been deprived of the right of counsel in contradiction to the rules of this committee.

Mr. ARENS. You were deprived of counsel?

Mr. LAND. Yes, sir. In my opinion, sir, I have been deprived of the right of counsel because, as one lawyer who sought the services of another lawyer, after attacks upon lawyers here, both by virtue of the word attacks and physical attack here, if you please, I feel I cannot jeopardize another lawyer's welfare by asking him to appear.

Mr. ARENS. Do you know any lawyer who has been attacked by this committee or identified before this committee who is not a member of the Communist conspiracy?

Mr. LAND. I don't understand that question, sir.

Mr. ARENS. Do you know any person who has been identified as a Communist before this committee who is not a member of the Communist Party?

Mr. LAND. Well, I will simplify it by just declining to answer it under the first and fifth amendments, sir.

Mr. DOYLE. May I ask this question, please.

Mr. Land, are you the man who was ejected from the room for disturbance—are you the one?

Mr. LAND. I am the man, sir, who was ejected from the room for asking you a question. Sir, as a lawyer I asked you a simple question and——

Mr. DOYLE. No, no. Are you the man that the marshal ejected just before we adjourned this noon?

Mr. LAND. No, sir.

Mr. DOYLE. Well, I beg your pardon.

Mr. LAND. I was just ejected, sir—unless you have me confused—I was just ejected for addressing a question to this Chair. I was the man that held that dying man in my arms——

Mr. ARENS. Are you a member of the Communist conspiracy?

Mr. LAND. You have interrupted me.

Mr. ARENS. I am sorry.

Mr. DOYLE. You have answered my question. That is sufficient. I apologize for asking you.

Mr. LAND. There is no apology necessary.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mr. LAND. I was talking to the chairman of the committee.

Mr. DOYLE. I am through talking with you. You have answered my question.

Mr. ARENS. Keep on talking and tell us whether or not you are a member of the Communist conspiracy.

Mr. LAND. May I explain why I interrupted you before?

Mr. DOYLE. No; it is not necessary.

Mr. LAND. I think that might be construed as a discourtesy.

Mr. DOYLE. You needn't try to make a record here of that sort. Please pay attention to the counsel.

Mr. ARENS. Kindly tell us, please, sir, are you a member of the Communist conspiracy?

Mr. LAND. I will decline to answer that, sir, under the first amendment which gives me the right of freedom of thought, still, in this country. And under the fifth amendment of the United States Constitution.

Mr. ARENS. Now tell us, if you please, where did you live prior to the time that you came to California?

Mr. LAND. I will decline to answer that, sir, on the grounds I have already previously stated.

Mr. ARENS. We have this document:

Ohio Marches Toward Peace and Progress. The 1937 yearbook of the Ohio Communist Party.

Mr. LAND. What year was that, sir?

Mr. ARENS. 1937. Does that refresh your recollection?

Mr. LAND. We are getting along in years, aren't we.

Mr. ARENS. Does that refresh your recollection?

Mr. LAND. I do remember there was such a year, sir.

Mr. ARENS. Do you remember the document, Ohio Marches Toward Peace and Progress, in 1937?

Mr. LAND. Ohio might have done that, sir. But I don't think I will answer that question.

Mr. ARENS. We lay before you a document of the Communist Party naming you as one of the comrades in the Ohio peace and progress movement of the Communist Party.

Mr. LAND. May I look at it, sir?

Mr. ARENS. Certainly. Do so.

(Document marked "Exhibit No. 518," see appendix, pp. 8021-8024.)

(The witness examines document.)

Mr. LAND. That is, I believe, 19 years ago. Isn't it, sir? I am sorry I don't see to what you are referring, sir.

Mr. ARENS. See your name? See if your name doesn't appear in that document there.

Mr. Appell, would you point it out to him.

Mr. LAND. May I have the previous question? That is the one you asked me to answer.

Mr. ARENS. Just a moment. We don't want to be discourteous to you.

Mr. Appell, would you kindly point to his name in that document and see if that refreshes his recollection with reference to peace and progress movement of the Communist Party, in Ohio in 1937.

Look and tell us if that is your name and if you are truly and correctly represented there as Jerome Land.

Mr. LAND. I would like to understand the question.

If I am truly represented here as Jerome Land?

Mr. ARENS. Look in there and see if that is you.

Mr. LAND. Well, I would be unable to answer the question under any circumstances, that type of question. I couldn't answer it if I wanted to.

Mr. ARENS. Mr. Chairman, I suggest the witness be ordered and directed now, at his peril, to answer that question.

Mr. DOYLE. You are directed to answer.

Mr. LAND. I don't understand the question. I am trying to explain my answer. If you don't want my answer—I thought you wanted

my answer. If you don't I will simply say I decline to answer under the first and fifth amendments.

I didn't understand the question, but I will say I don't—

Mr. ARENS. We don't want you to invoke the fifth amendment unless you feel a truthful answer to the question would give information which might be used against you in a criminal proceeding.

As an attorney, will you kindly tell us whether or not you are the Jerome Land whose name appears on the page of this document which we have just alluded to, which Mr. Appell of this staff has shown to you.

Mr. LAND. This document, which you say, I believe, sir, is 19 years old—and you ask me if I am on this document. I am unable to answer, sir, and I decline to answer under the first and fifth amendments.

Mr. DOYLE. No. Our staff member has pointed out your name on that document which you now hold in your hand.

Mr. LAND. Sir, this is a printed name. How could I know that?

Mr. DOYLE. What is it?

Mr. LAND. My name or another similar name might be printed anywhere, sir.

Mr. ARENS. Then deny it while you are under oath.

Mr. LAND. I wouldn't in some places here, but here I believe I will say I will reserve my rights under the first and fifth amendments to the United States Constitution.

Mr. ARENS. Let's get the record clear on that point. You recognize, first of all, No. 1, that you are under oath; do you not?

Mr. LAND. Yes, sir.

Mr. ARENS. You recognize, No. 2, if you lie to this committee while under oath you can be prosecuted for perjury; do you not?

Mr. LAND. I don't lie here or under oath or not under oath.

Mr. ARENS. You don't? Are you a member of a conspiracy that is based on deceit and lies, perversion of the truth?

Tell us about that while you are under oath.

Mr. LAND. I will decline to answer, sir, under the amendments already asserted.

Mr. ARENS. Mr. Appell is going to display to you a document from the Communist Daily Worker. It tells about the mounting protests against a Cleveland paper printing Communist Party petition signers.

One Jerome Land appears in here as one of the voices that is protesting the so-called blacklisting of the Communist nominating petitions.

Look at this article in the Communist Daily Worker, August 30, 1940, and see if that refreshes your recollection.

(Document marked "Exhibit No. 519," see appendix, pp. 8025, 8026.)

Mr. LAND. Do you have a date on that, sir?

Mr. ARENS. Yes. He will lay the whole document before you.

(The witness examines document.)

Mr. LAND. August 30, 1940.

Mr. ARENS. Mr. Chairman, while he is looking at the document may I say, for the purpose of clarity in this record, the reason why this particular witness is called here is that, as you know, this committee has held hearings in a number of States and expects to continue this series of hearings. One of the States in which we heard witnesses was the State of Ohio. And most of the testimony of this witness will be

with reference to activities in Ohio. But he is now living in Los Angeles.

Mr. DOYLE. For Mr. Land's information, that hearing in Ohio was within the last 10 days.

Mr. ARENS. That is correct; yes, sir.

His name was one of the subjects of that hearing. He was identified.

Mr. LAND. Thank you for that information, sir. I didn't know about that. I would not be able to answer an article this old, sir, truthfully under any circumstances.

Mr. ARENS. We certainly wouldn't want you to tax your memory or speculate in any sense—

Mr. LAND. That is 1940, sir.

Mr. ARENS. We have one here a little more recent. See if you can help us on this. It is the Communist Daily Worker of February 18, 1941. That is just a little more recent.

This article says you were spokesman for the Ohio Committee for the Defense of Civil Rights. You were active in a lot of things out in Ohio.

Committee spokesman, attorney Jerome Land and others did certain things, etc.

Kindly look at this clipping from the Communist Daily Worker in 1941 and see if that refreshes your recollection with reference to any activities of yourself.

(Document marked "Exhibit No. 520," see appendix, p. 8027.)

Mr. LAND. Sir, may I save this committee's time? I think the committee appreciates having its time saved.

In order not to put on a performance, I would like to say, sir, that I don't believe I could answer articles this old. But if I could, sir, in all frankness and candor, I would not answer these articles under the first and fifth amendments.

Mr. SCHERER. I think, Mr. Counsel, you should ask him whether or not, independently of the article, he has any recollection of his activities of that time, activities to which the article refers.

Mr. ARENS. In view of your difficulty in remembering Communist activities, do you have any recollection independently of these documents, of the incidents alluded to in the documents?

I certainly don't want to tax your memory.

Mr. LAND. I appreciate that, sir. I am sure you want to be as courteous to us.

Mr. VELDE. Mr. Land, where did you go to law school and to college?

Mr. LAND. Cleveland Law School.

Mr. VELDE. Cleveland Law School. That is in the State of my good colleague from Ohio, Mr. Scherer.

Mr. LAND. I didn't know Mr. Scherer in Ohio, as I recall.

Mr. VELDE. When and where did you pass the bar in California?

Mr. LAND. I don't practice in California, sir.

Mr. VELDE. You practiced in Ohio?

Mr. LAND. That is right.

Mr. VELDE. When did you pass the bar in Ohio?

Mr. LAND. In, I think, it was 1935, sir.

Mr. VELDE. 1935. Was that just after you graduated from law school?

Mr. LAND. Immediately thereafter; yes.

Mr. SCHERER. Is that Western Reserve University? I don't know of any Cleveland Law School.

Mr. LAND. I think it was considered a branch of John Marshall, but I am not sure. Not Western Reserve.

Mr. VELDE. Were you a Communist at the time you were in law school?

Mr. LAND. It was a law school in which—

Mr. SCHERER. I just didn't remember a Cleveland Law School.

Mr. LAND. Most of the sessions were at night.

Mr. VELDE. Were you a Communist at the time you were in law school?

Mr. LAND. I think I should decline to answer that, sir, under the first and fifth amendments.

Mr. VELDE. I think you should, too.

Mr. ARENS. We have a document with a more recent date. We are getting closer to the present. Perhaps your recollection will be a little sharper.

November 2, 1949. The Communist Daily Worker tells us in this article about a number of people who protest the contempt convictions of these Communist lawyers who defended the 11 traitors in New York City, including you, among the protestors of this action.

(Document marked "Exhibit No. 521," see appendix, p. 8027.)

Mr. LAND. I will decline to answer that, sir, under the first and fifth amendments.

Mr. ARENS. Oh, your recollection is getting a little better?

Mr. LAND. I didn't say so. You said so, sir. If you would like to testify for me, please feel free to do so.

Mr. ARENS. Independently of this article in the Communist Daily Worker, were you one of several who protested the contempt convictions of the lawyers in New York City who defended the 11 Communist traitors and whose conduct approximated the conduct of the lawyers who have appeared before this committee in the last 2 days?

Mr. LAND. Would you—What is the question?

You see, sir, it is a little difficult, me being used more to a court of law, to have hypotheses assumed in my question which are involved in the answering, things not before the body.

Mr. ARENS. Do you want to answer that question now?

Mr. LAND. I don't think I know how, sir.

Mr. ARENS. Did you sign the petition protesting the trial, protesting the contempt conviction of the Communist lawyers in New York City who defended the 11 Communist traitors?

Mr. LAND. Did I sign a petition? I will decline to answer that, sir, under the first and fifth amendments.

Mr. ARENS. Now we have still another document. It is the Communist Daily Worker—1952—in which 45 United States lawyers ask civil trial for Greek, quote "unionists." These are petitions to the Premier of Greece with reference to a military courtmartial of a number of Communist conspirators in Greece.

It is signed here by a number of lawyers, 45 United States lawyers, asking the Greek Government, here, to give these Communists a civilian trial instead of a military trial. Included in the signers of these petitions is one Jerome Land.

Look at that document and see if that helps refresh your recollection.

(Document marked "Exhibit No. 522," see appendix, p. 8027.)

(The witness examines document.)

Mr. LAND. You again mention my recollection, sir.

I think counsel's recollection is a little dim if he doesn't recall that I stated my position, that I refused to answer under the first and fifth amendments on these questions, sir.

Mr. ARENS. Did you sign the petition to the Premier of Greece for this civil trial for these Communists in Greece?

Mr. LAND. If I were before any other gathering, sir, I would say it was impossible for me to—

Mr. ARENS. You mean if you were released from your oath where you could not be prosecuted for perjury?

Mr. LAND. No, sir.

Mr. ARENS. Tell this committee whether or not you did sign that petition directed to the Premier of Greece.

Mr. LAND. Sir, some of us don't need an oath to tell the truth. Some of us tell the truth by nature. And perhaps you will have a difference of opinion, but that is how I am, sir. And I say before another body that didn't intend merely to persecute but to really want evidence—as I think, Mr. Chairman, you were sincere before in asking some questions that you would like some witnesses to help you. By golly, I would be one that would like to help if it was a sincere inquiry.

Since I don't think that is the intention, I am simply going to say I will decline under the first and fifth amendments to you, sir.

Mr. VELDE. If you were offered immunity from any prosecution would you answer the questions being put to you by counsel?

Mr. LAND. That is a fair question.

May I answer to that question without having Mr. Scherer or someone say that if I answer this question I will immediately have to answer another one or, therefore, be cited?

Mr. VELDE. I didn't get your answer.

Mr. LAND. May I answer your question in good faith without being threatened immediately thereafter that, unless I answer ensuing questions, I will be cited?

Mr. VELDE. Certainly you may.

Mr. LAND. Then I would say, sir, that if the questions were asked in good faith—as I may say I think Congressman Doyle did ask of some witnesses in these hearings—just to get information on our views, sincerely for that purpose, there would be any number of us that would be willing to cooperate. But I will say frankly that I don't think that is the intent of the committee here.

Mr. VELDE. That is exactly what this committee wants and has wanted ever since it was established—information concerning Communists and subversive activities so it can legislate, Mr. Land.

You might be sincere about this, and I am trying to find out whether you are or not, if you were offered immunity, whether you would testify.

Mr. LAND. If it was possible to offer me such immunity I would, sir. But could you guarantee to me, Congressman, that I would not appear in newspapers, that my family might not be harassed?

Mr. VELDE. I think you know I can't guarantee you, this subcommittee can't guarantee it.

Mr. LAND. Of course you can't.

The whole nature of the proceeding is that people have an incidental death by slander in appearing here.

If it was possible to give me that kind of immunity I would be happy to give you information, if it didn't mean crucifying people like these lawyers have to have the next day, to have their practices crucified because they appeared in such circumstances in the newspapers.

Mr. SCHIERER. They have been doing the same thing for 4 or 5 years, and it hasn't affected their practice. It has helped their practice with the Commies.

Mr. LAND. I am trying to answer your question, sir.

Mr. VELDE. This witness might be impressed with the purposes of this committee.

Mr. LAND. You weren't here yesterday, sir, when some of the witnesses offered to send information to Chairman Doyle if such information was elicited in good faith for the benefit of effecting legislation.

Mr. ARENS. You know what the committee is here for. The committee is trying to rout out communism, find out what the Communists are doing, identify Communists.

Mr. LAND. I am sorry.

Mr. ARENS. Communists are subversive. You know that.

Mr. LAND. I misunderstood.

Mr. ARENS. Now, with your adherence and your dedication to the truth that you have so vigorously protested here today, I want to ask you if you can be helpful on this question.

On April 10, 1942 did you take an examination before the United States Civil Service Commission in Cleveland for a job? Do you recall that?

Mr. LAND. It seems to me like a harmless activity. I am just thinking, sir. But, in view of what has preceded me here today, I will have to answer under the first and fifth amendments, and decline.

Mr. ARENS. Didn't you, when you made application, come to this question:

Are you now or have you been a member of any organization that contemplates the overthrow of the Constitutional form of government in the United States by force?

Do you have a recollection of that now? Tax your memory the best you can now and give us a truthful answer.

Mr. LAND. I wish I could answer you, sir. You have made it impossible. I must decline.

Mr. ARENS. I wish you would.

Mr. LAND. Had you proceeded differently I would have been happy to give you an answer. I fear now, under the fifth amendment, I might be in jeopardy.

Mr. ARENS. What do you mean you might be? You are a lawyer. Let's get the record clear.

Do you mean if you answered that question truthfully you would be giving information which might be used against you in a criminal proceeding?

Mr. LAND. I will answer that question by saying that to any of your questions—

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mr. LAND. I started to.

Mr. ARENS. Do you honestly apprehend if you answer the question as to whether or not you signed a civil-service form in Cleveland, Ohio, in April 1942, you would be giving information that could be used against you in a criminal proceeding?

Mr. LAND. I think your vindictiveness is such that if it was possible for you to do it by any device of the imagination, of yours or a stool pigeon, you would do so, sir. Therefore, I fear to answer under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I instruct you to answer the question.

Mr. SCHIERER. He couldn't be prosecuted for perjury. The statute of limitations for Ohio is 3 years. 1942, is that? He couldn't possibly be prosecuted.

Mr. ARENS. I want to commend you for your truthfulness back in April of 1942 because you stated, did you not, on your form:

I am connected with the Communist Party but do not believe it such an organization as above described.

I put it to you as a fact and ask you to affirm or deny the fact that you signed that statement in April 1942, at Cleveland in Ohio, in applying for a civil-service examination.

Mr. LAND. I will decline to answer under the first and fifth amendments.

Mr. ARENS. I want to lay before you a transcript of a speech you made out in Ohio before the Ohio Conference for the Protection of Foreign Born, in which you were introducing a Mrs. Taylor.

Kindly look at this publication, which has come to the custody and control of this committee in a legitimate and lawful manner, and tell us whether or not you will verify the authenticity of that document.

(Document marked "Exhibit No. 523," see appendix, pp. 8028-8031.)

(The witness examines document.)

Mr. LAND. Under any circumstances it wouldn't be possible, sir. I don't see my name anywhere in here. However, I will decline to answer the question.

Mr. ARENS. Look at it and tell the committee whether or not you made those remarks. If you don't remember say, "I don't remember." If you do remember, tell us truthfully in your adherence to the truth.

Mr. LAND. It just wouldn't be safe to answer it either way. I will decline to answer under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. VELDE. No questions.

Mr. SCHERER. I have no questions.

Mr. DOYLE. I just want to say this to you, Mr. Land:

As a member of the California bar it always makes me shiver when there is ever any evidence presented as to a member of the bar being, or having been a member of the Communist Party and the member of the bar refuses to come clean and make it clear that he has never been a member of the Communist Party, or isn't.

Mr. ARENS. Mr. Chairman, I don't believe our records reflect that question on this particular witness. Therefore, I should like to suggest it be posed to him.

Mr. DOYLE. Are you now a member of the Communist Party?

Mr. LAND. Before answering I will just preface it by saying I recall Congressman Velde's interrogation of me before, which I think was a sincere one, about the possibility of giving information if the committee was sincerely interested.

Your present question, sir, makes me again feel that that is impossible, and I will just resort to the first and fifth amendments and decline to answer, sir.

Mr. DOYLE. Very well. You realize that our assignment under Public Law 601 is, among other things, to ascertain the extent to which Communists are undertaking to defeat the antisubversive sections of the present existing Federal statutes.

Is there anything else from this witness?

Mr. VELDE. Mr. Chairman, I do want to say this, that the responsibility for obtaining immunity should be on you [addressing witness], and if you are really sincere in wanting to testify with a grant of immunity by a Federal court, I am sure the committee would be very happy to consider the proposition in executive session.

So, if you are favorable to giving testimony, I do hope that you will—

Mr. LAND. Sir, I will say in—

Mr. VELDE. Contact the counsel or the chairman of the full committee.

Mr. LAND. Sir, I will say respectfully to you—you who address your questions to me respectfully, and I recognize it—that I honestly feel and sincerely hope the day will come in American civil liberties where that would be possible, sir; where it might be that people that have a difference of opinion, such as I fancy you and I have, might get together and decently, constitutionally discuss their differences of opinion with an effort toward better legislation for all good Americans.

I frankly feel, as candidly as I say that and mean it, sir, I think under the present atmosphere you are not making that possible for us.

Mr. VELDE. You are familiar with the immunity law that was passed?

Mr. LAND. I have been out of the practice for 3 years. I am not too sure just how much immunity can be granted.

Mr. VELDE. Under the law of the United States you can apply to the committee, and the committee can, by vote, ask a Federal judge of the district to grant immunity from any prosecution.

Mr. LAND. You can't grant us immunity from cameras, moving pictures, telephone calls to our home, sir. And as long as that is the atmosphere—

Mr. VELDE. I don't think you are sincere in that request. I am going to give it up.

Mr. DOYLE. You have alluded twice to the fact that this morning I, you thought, had sincerely asked witnesses who had been identified as Communists before this committee or before the Subversive Activities Control Board in Washington if they would state their objections to any of the antisubversive provisions of any of the major antisubversive laws now on our statutes. And I think I invited two of them who had been identified as Communists to send those on to us because we wanted them, but to do it over their own signature, of course, and not through some false Communist front or subversive front.

Now I will ask you. And I assure it is not to trap you. But you are an experienced lawyer. And, as you said, you haven't practiced for 3 years. That is not very long to have been out of the practice. So your mind is good and sharp, well-trained to be explicit.

What recommendations have you to make to this committee in the field of consideration of antisubversive sections of any of the existing Federal statutes?

Now I think that is a fair question. We are really seeking help from that on people who have been identified as Communists. Not to trap them but to try to get them to help us in that field. Not because we differ on other provisions of the law, but, even though we differ on antisubversive statutes, have you any suggestion for us that we can take back to Washington?

Mr. LAND. That is a fair question, sir. But I am sure that my opinion extemporaneously at this moment could not possibly be regarded seriously. So I don't think this is the place for me to give my opinion on a law that perhaps I haven't looked at for some years.

Mr. DOYLE. Of course, apparently you have been speaking about it within recent years.

Mr. LAND. I am not sure. I thought the last document was about 1941. I may be wrong.

Mr. DOYLE. It was brought down to date, to 1952 or 1953, and that is fairly recent.

So I take it you wouldn't speak in public against legislation unless you had considered it.

That isn't very long ago, 2 or 3 years. You considered it then. Your memory should be sharp enough now. And I am asking in good faith to see if I can get your help.

Mr. LAND. Good faith, sir?

If there are such statements that I have made in the past, if in fact they exist I would think that they would be available to the House if they have any respect for my opinion, if they have my opinion.

Mr. DOYLE. Again I find it absolutely impossible to get the cooperation of anyone who has been identified before this committee or some governmental agency as a Communist. I have always failed to get their help or any suggestion—

Mr. LAND. May I suggest another method, sir?

Mr. DOYLE. Of improvement or change in any of the anti-Communist provisions.

Mr. LAND. May I suggest a method of getting that help, sir?

Mr. DOYLE. This is one method we have.

Mr. LAND. Do it without trying to vilify us, sir.

Mr. DOYLE. I haven't tried to vilify you. And again you have also refused.

Mr. ARENS. Vilify whom, please?

Mr. LAND. Vilify me, sir.

Mr. ARENS. How about the Communists? Do you think that they deserve commendation and laudation by a congressional committee for their actions?

Mr. LAND. The question was, sir, how do we get help on legislation? And you are back at the same old stand.

Mr. DOYLE. You are excused.

Mr. ARENS. The next witness, if you please, will be Esther Shandler, S-h-a-n-d-l-e-r.

Mr. DOYLE. Miss Shandler, may we ask that we not call you for 5 minutes?

The committee will stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle, Velde, and Scherer.)

Mr. DOYLE. The committee will please come to order. And let the record show that all three members of the subcommittee are present.

I think, Madam Counsel, I have forgotten whether or not I ever had your witness take the oath.

Mrs. ROSENBERG. No.

Mr. ARENS. We haven't started yet, Mr. Chairman.

Mr. DOYLE. Then will the witness please rise.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss SHANDLER. I do.

TESTIMONY OF MISS ESTHER SHANDLER, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss SHANDLER. My name is Esther Shandler. I am an attorney at law with offices at 208 West Eighth Street, Los Angeles 14.

Mr. Chairman, at this time I would like to make a motion to quash my subpoena on the grounds that there is a congressional subcommittee on immigration which has authority to elicit testimony in the field of immigration and naturalization, and they are the proper subcommittee to make legislation in this field.

Mr. DOYLE. Just a minute, madam, please.

You know this is not a court of law, and this committee has the jurisdiction to cover the subject we are covering.

Perhaps there is another congressional committee that also has authority to go into the field of immigration and naturalization. That is something we are not going into.

We are only in the field of the antisubversive features of these four major Federal statutes.

So please don't take the time of yourself and others to make a motion because it is without any result in the premises because we are not a court of law, and I will not even consider it.

MISS SHANDLER. I know, Mr. Chairman, that you do have the authority—that is, the committee does—to quash subpoenas. And, as Mr. Arens mentioned this morning, the avowed purpose of this hearing was to investigate persons who attempt to influence public opinion on legislation.

MR. ARENS. A little correction there.

MISS SHANDLER. Just a moment.

MR. ARENS. Let's get the record straight.

I would substitute the word Communists for persons, and then go ahead.

MISS SHANDLER. I would like to say in that connection, Mr. Chairman, that such investigation is contrary to the guarantees of the first amendment, both not only—

MR. DOYLE. Wait.

MISS SHANDLER. May I finish? Just a few more words.

MR. DOYLE. No. You are anticipating what questions may be asked you. Let's wait until you are asked questions so that you don't make a forum out of this, please. Let's go ahead in an orderly manner.

MISS SHANDLER. I am really not planning—

MR. DOYLE. I realize you have a written statement there that you are reading, but let's wait until counsel asks you a question, and then give your answer, please.

MR. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

MISS SHANDLER. I stipulate that I am the person named in the subpoena that was served upon me.

MR. ARENS. And you are represented by counsel?

MISS SHANDLER. I am represented by most eminent counsel. Her name is Rose S. Rosenberg.

MR. ARENS. Counsel, do you care to add any identification of yourself?

MRS. ROSENBERG. I think I have appeared before. The record is clear as to my name.

MR. ARENS. Miss Shandler, are you now a member of the Communist Party?

MISS SHANDLER. Mr. Arens, in the United States a person has the right, under the first amendment, to belong to whatever organization they wish, to meet with whatever people they wish. And they do not have to account to this committee or, as a matter of fact, to anybody involuntarily. And for that reason, under the grounds of the first amendment and also on the fifth amendment, I refuse to answer your question.

MR. DOYLE. Thank you for being brief and definite.

MR. ARENS. Mr. Wheeler is going to display to you, Miss Shandler, a copy of the Communist Daily People's World, December 9, 1953, with reference to a delegation from Los Angeles to a Chicago meeting, a delegation of the Los Angeles Committee for Protection of Foreign Born going to Chicago for a national conference to repeal the Walter-McCarran law.

This delegation includes attorney Esther Shandler of the committee's legal panel. That is the Los Angeles committee's legal panel.

Kindly look at that article in the document and tell this committee whether or not you are accurately designated as the legal chairman of the legal panel of the Los Angeles Committee for Protection of Foreign Born.

(See exhibit No. 456, appendix, p. 7890.)

(The witness examines document.)

MISS SHANDLER. Mr. Chairman, I would like to have you request counsel to withdraw that question.

It most obviously invades the field of the attorney-client relationship. And I think counsel knows that the policy of the law is to encourage clients to confer with their attorneys and for the attorneys to keep their confidences inviolate.

MR. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

MISS SHANDLER. Well, my answer, Mr. Chairman, is that I refuse to answer that question on the basis of the attorney-client privilege, and also on the first and fifth amendments.

MR. ARENS. Is it Miss Shandler or Mrs.?

MISS SHANDLER. It is Miss.

MR. ARENS. Miss Shandler, Mr. Wheeler is going to display to you a photostatic copy of a check of the Los Angeles Committee for Protection of Foreign Born, payable to yourself, Esther Shandler, for \$250, which bears your endorsement.

Look at that photostatic copy of this check and tell the committee whether or not you would be good enough to verify the authenticity of your signature there.

(Document marked "Exhibit No. 524," see appendix, p. 8032.)

MISS SHANDLER. Counsel, may I ask where you obtained this photostatic copy of the check?

MR. ARENS. It came into the custody of the committee in proper course, ma'am. Kindly answer the question.

MISS SHANDLER. Could you explain to me what the proper course was?

MR. ARENS. Just answer the question, please, ma'am. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

MISS SHANDLER. Well, Mr. Chairman, I feel that this check is illegally obtained evidence. I believe it was stolen.

MR. ARENS. How do you know it is illegally obtained evidence?

MISS SHANDLER. I can't imagine how you would get a photostatic copy of a check that was made out to me. Theoretically.

MR. ARENS. Then deny that it is made out to you while you are under oath.

MISS SHANDLER. I am not answering that it was made out to me or that it was not made out to me.

MR. ARENS. Let's get that settled.

Is it made out to you? Then we will get into the question of whether we stole it, found it, or made it up.

Tell this committee whether or not that is your signature on that check.

(The witness confers with her counsel.)

Mr. SCHERER. She already said it was. She couldn't understand how we stole a check from her.

Miss SHANDLER. I would like the chairman to determine how the committee came into possession of this check.

Mr. DOYLE. We don't have to reveal—you know that—how we get evidence. That is a document with which you are apparently familiar.

Mr. SCHERER. Apparently. She said she doesn't know how we got her check.

Mrs. Rosenberg. To correct the statement, she said that is for determination of—

Mr. DOYLE. It speaks for itself. What is your answer? We don't have to tell you how we prove what people are doing.

Miss SHANDLER. I refuse to answer that question on the grounds that the document placed before me, I can only assume, is illegally obtained evidence, and, further, on the grounds of the first and fifth amendments. And I would like to add the further ground that question of counsel because it invades the client-attorney relationship?

Mr. SCHERER. What was that? Invades the attorney-client relationship? Wait a minute. What do you mean by invading the attorney-client relationship with respect to that last question?

(The witness confers with her counsel.)

Miss SHANDLER. I think that I have given my answer, and the record shows it.

Mr. SCHERER. Answer it again. I didn't hear it.

What do you mean when you say you refuse to answer that last question of counsel because it invades the client-attorney relationship?

Miss SHANDLER. That was an additional ground, Mr. Scherer.

Mr. SCHERER. I understand. But you advanced it as a ground. Why do you use that? I can't see that there is any question of attorney-client relationship involved in this question that Mr. Arens asked you about the check.

(The witness confers with her counsel.)

Mr. SCHERER. Your attorney didn't have anything to do with that check.

Miss SHANDLER. I am an attorney, Mr. Scherer.

Mr. SCHERER. You are an attorney?

Miss SHANDLER. And any matter that involves me as an attorney, I am compelled by law and by ethics not to reveal to you, to any member of this committee or to anybody else.

Mr. SCHERER. It may not necessarily be true.

Let me get this straight. To whom is this check made payable?

(The witness confers with her counsel.)

Mr. SCHERER. Were you the attorney for the Los Angeles Committee for Protection of Foreign Born?

Miss SHANDLER. I might say, Mr. Scherer, that under the California law a lawyer is enjoined by statute ever to reject a cause of the defenseless and the oppressed. And I might say, in my opinion, the foreign born in this country represent one of the most oppressed groups under the Walter-McCurran law. I have, as a lawyer, the duty to represent all people who come to me.

Mr. SCHERER. I understand that.

Miss SHANDLER. And I have the duty, further, to keep the confidences of my clients inviolate.

(The witness confers with her counsel.)

Mr. SCHERER. We are not asking you about the confidences of your client. We just want to know whether the Los Angeles Committee for Protection of Foreign Born came to you, and whether you represented them as an attorney. That is as simple as that.

Miss SHANDLER. It may appear simple to you. To me that question falls within the realm of privileged communication.

Mr. SCHERER. Whether you were attorney for this falls within the question of privilege?

Miss SHANDLER. That is correct.

Mr. SCHERER. That may be the California law, but it is the first State I have heard of that that is the law.

Mr. ARENS. It obviously isn't the law, Mr. Chairman. It is only a pretense here. Because we haven't asked her any confidential communication.

Mr. SCHERER. I know. I say we haven't asked her that.

Mr. ARENS. Miss Shandler, Mr. Wheeler is going to display to you, in the interest of expediting the proceedings today, several exhibits of a conference under the auspices of the Los Angeles Committee for Protection of Foreign Born, some of which identify you as chairman of various panels, and others identify you as part of the legal panel of the Los Angeles Committee for Protection of Foreign Born.

(See exhibit No. 102a and 102d, appendix, pp. 7273 and 7276.)

(The witness confers with her counsel.)

Mr. ARENS. Kindly look at those documents and see if you would be good enough to help this committee of the Congress by verifying their authenticity.

Mr. SCHERER. Then she was not only the lawyer but she was chairman of some of the committees.

Mr. ARENS. Yes. That appears in the exhibits.

Mr. SCHERER. Then how can she claim any privilege?

Mr. ARENS. I am just pressing here for time or I would elaborate on each particular exhibit. We have at least a half dozen we are laying before her now.

(The witness examines documents.)

Mr. SCHERER. Lawyers advancing these silly answers.

(The witness examines documents and confers with her counsel.)

Miss SHANDLER. In answer to your question, Mr. Arens, I might point out that—pardon me a moment.

(The witness further examines documents and confers with her counsel.)

Miss SHANDLER. Mr. Arens, it is apparent that these documents refer to confidential relationships that may exist between an attorney and client, and I would therefore refuse to answer the question on that ground—

Mr. ARENS. On that ground solely, Mr. Chairman, I respectfully suggest this witness be ordered and directed to answer the question.

Mrs. ROSENBERG. May the witness be permitted to finish the answer?

Mr. ARENS. We want to be sure that this record is clear.

Mr. SCHERER. How does she claim privilege when she doesn't admit she is attorney for them?

Mr. DOYLE. Let's finish the discussion. Have you finished answering the question?

Miss SHANDLER. No I haven't. Rule 8 of your rules provide that counsel for a witness shall conduct himself in a professional, ethical, and proper manner. It seems to me that the counsel for the committee should adhere to this rule also. And I would like you to direct your counsel to adhere to this rule.

The balance of my answer——

Mr. VELDE. I want the record to reflect that I feel, as a member of this committee, our counsel for the committee has acted entirely proper all throughout these proceedings in good faith with the committee rules, and that, on the other hand, the witness, who is a lawyer herself, has not acted as a reputable attorney.

Mrs. ROSENBERG. May the witness be permitted to finish her answer, please?

Mr. DOYLE. Yes. May I just state this: Manifestly, some of these witnesses have apparently planned in advance to criticize counsel of the committee and criticize the committee. And that is understood. We are used to that sort of thing, that we are all criticized.

(The witness confers with her counsel.)

Mr. DOYLE. It is a very difficult thing we have experienced, to deal with people that are trying to evade giving Congress any information. It is very difficult.

Mrs. ROSENBERG. May the witness finish her answer, please?

Mr. DOYLE. Yes. Go ahead, Miss Shandler.

Miss SHANDLER. The balance of my answer is that I refuse to answer the question on the grounds of the first and fifth amendments, as I did the previous question.

And I might say, Mr. Doyle, that I am unfamiliar with Mr. Arens. I have never seen him, nor even heard of him prior to this hearing. So that I think your last statements are not appropriate.

Mr. DOYLE. Well, I think they are appropriate because we cannot allow time to make it a point to try to criticize and condemn committee counsel or the members of the committee. Go ahead. We are trying to expedite the matters. I am trying to give you every opportunity to give all answers you care to.

What is your next question, Mr. Arens?

Mr. ARENS. She hasn't answered the principal outstanding question.

Mrs. ROSENBERG. Yes; she has. You were probably reading.

Miss SHANDLER. I would be happy to repeat the answer.

Mr. ARENS. No; it won't be necessary. I just want to be sure the record reflects the principal question.

Miss SHANDLER. Yes.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Miss SHANDLER. Sir, is that a question?

Mrs. ROSENBERG. Is that a question you directed to the witness?

Mr. ARENS. It certainly isn't an answer. You know it is a question.

Are you are member of the Communist conspiracy?

Miss SHANDLER. I thought you were referring to the answer to the previous question.

Mr. SCHERER. Why, no. Please let's make the effort.

Mrs. ROSENBERG. I think the record will show that that question was asked and answered, I believe.

Mr. DOYLE. Not this question, Madam Counsel.

May we have the record show that—if I am mistaken I want to know it—this witness did not answer that question previously as to whether or not she was a member of the Communist Party. Did she?

MISS SHANDLER. I believe that was the first question you asked me.

MR. ARENS. So the record is absolutely clear, I now ask you, Are you a member of the Communist conspiracy?

MISS SHANDLER. I previously—

MR. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

MRS. ROSENBERG. Mr. Chairman, may the witness be given an opportunity to answer before his interruption?

MR. DOYLE. I am giving it now. Go ahead, please, Witness, and cooperate.

MISS SHANDLER. I was on the verge of answering, Mr. Doyle. I answered previously that I refused to answer that question on the grounds of the first and fifth amendments, and I do so now again answer it that way.

MR. DOYLE. Now we are all clear that you did previously answer it. Thank you.

MISS SHANDLER. Thank you.

MR. ARENS. If you please, I respectfully suggest that concludes the staff interrogation of this witness.

MR. DOYLE. Questions, Mr. Scherer?

MR. SCHERER. No.

MR. DOYLE. Questions, Mr. Velde?

MR. VELDE. No questions.

MR. DOYLE. The witness is excused. Thank you, counsel.

MR. ARENS. Marva Bovington, B-o-v-i-n-g-d-o-n. Kindly come forward.

MR. DOYLE. Will you please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

MISS BOVINGTON. I do.

MR. DOYLE. Thank you.

TESTIMONY OF MISS MARVA BOVINGTON, ACCOMPANIED BY COUNSEL, WILLIAM B. MURRISH

MR. ARENS. Kindly identify yourself by name, residence, and occupation.

MISS BOVINGTON. Marva Bovington, 2700 Budlong Avenue, Los Angeles, Calif. Secretary.

MR. ARENS. Where are you employed, please?

MISS BOVINGTON. I answer that under protest. This is a matter of discrimination. It is putting me in jeopardy of losing my job. It is a very unfair question to ask me. I am making my living fairly and squarely.

MR. ARENS. You haven't a thing to worry about. Just tell this committee where you work now, please.

MISS BOVINGTON. This committee is entering the field of blacklisting. To ask a layman, a person who is working for a living, trying to

get along as a citizen of the United States, where he works, under these conditions, is unconstitutional. I protest the answering of that question although I will answer it.

Mr. ARENS. Then go ahead and answer, please.

Miss BOVINGDON. The Brown Pharmaceutical Co.

Mr. ARENS. And where is that located, please?

Miss BOVINGDON. Los Angeles.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Miss BOVINGDON. That is obvious.

Mr. ARENS. Thank you. And you are represented by counsel?

Miss BOVINGDON. That is obvious.

Mr. ARENS. Thank you.

Counsel, would you kindly identify yourself, please, sir.

Mr. MURRISH. William B. Murrish, attorney.

Mr. ARENS. Do you care to give any further identification as to the place where you practice?

Mr. MURRISH. Attorney, Los Angeles bar. I have appeared before. I identified myself before.

Mr. ARENS. Is it Mrs. or Miss Bovingdon?

Miss BOVINGDON. Miss.

Mr. ARENS. Miss Bovingdon, do you know a person by the name of Anita Schneider?

(The witness confers with her counsel.)

Miss BOVINGDON. Congressman Doyle of Los Angeles, this woman has appeared before this committee. She has given you information—

Mr. ARENS. Just a moment. You are reading from something?

Miss BOVINGDON. I am not reading from anything except my own personal notes. You seem to have a great pile in front of you. There are six men here who are all attorneys. I come with a few scattered notes and I want the permission to use them, if I may.

Mr. ARENS. Go right ahead. We want the record clear what you are doing.

Mr. DOYLE. Go right ahead.

Miss BOVINGDON. To answer this question would certainly require me to enter an area which might connect me with a number of things, I don't know what. But I am certainly going to decline to answer this latter, this question, and I have some definite constitutional grounds which I want to state for this committee.

Mr. ARENS. By the way, Mrs. Schneider said in her testimony this morning that the Communists rehearsed their testimony. Did you rehearse this and compile your notes? Or is this extemporaneous?

(The witness confers with her counsel.)

Miss BOVINGDON. This is a point I want to make: as long as you ask me a question let me finish answering this question before you give me another question. That seems fair.

Mr. ARENS. Surely it is fair. I didn't mean to intrude more than—

Miss BOVINGDON. I saw the resolution of this committee.

Mr. ARENS. I didn't mean to intrude upon your recitation.

Miss BOVINGDON. The authorizing resolution upon which this committee is established. I looked at it very carefully and tried to make sense out of it. It says something about unconstitutional propaganda which is un-American. This to me is so vague that it puts a censorship on the Constitution. It stands as a block between me and my Constitution and my activities. And this brings me to this next point:

Why I feel and want to put in the record the legal grounds for my standing on my answer to this question.

Mr. ARENS. Do you remember now which question you are answering? The question is: Did Mrs. Schneider tell the truth when she identified you as a Communist.

Miss BOVINGDON. That is right.

Mr. ARENS. Go right ahead. I want to be sure now we know what your recitation is about.

(The witness confers with her counsel.)

Miss BOVINGDON. Yes.

Now, if the Chair will help the counsel be quiet long enough for me to finish stating my legal grounds, I will continue.

This committee has no jurisdiction in this hearing—

Mr. ARENS. Has no what?

Miss BOVINGDON. Jurisdiction in this hearing.

Its activities, its authorizing resolution, as I told you just now, I have read recently—this specific question that you are addressing to me, all violates the Constitution, and I want to say that under article I and article III, as you fellows know, you attorneys know, we have a division of power in this country. We have a legislative power and we have the judiciary power. And I want to tell you that this is an unconstitutional thing, as a layman, that this committee is entering the field of the judiciary field, and putting me on trial before the public.

That is my third point. I have one other point.

Mr. ARENS. Fourth. Is this your last point?

Miss BOVINGDON. I hope I make this—

The last point was made clear to you, that this committee is a block to me as a citizen carrying out my constitutional duties. You are a legislative block only. You have legislative responsibilities. You are not a judiciary group.

Therefore, to put me on trial jeopardizes me as a citizen of the United States to carry out my duties as a citizen. That is another point.

Don't interrupt me, please, counsel. Just be quiet for a few minutes.

Mr. ARENS. You go right ahead.

(The witness confers with her counsel.)

Mr. ARENS. Do you have still another point?

Mr. SCHERER. Mr. Chairman, while she is looking at her notes I want to make this observation.

There is this difference between this witness' statement, in which she is referring to notes, and the witness who testified a little while ago from that prepared statement. This statement obviously was prepared by this witness herself. But it was obvious to me that that other witness could not have—

Miss BOVINGTON. What is obvious to you might not be obvious to another.

Let's go on with our fourth point.

Mr. SCHERER. I wasn't attacking you, madam. I said——

Mr. ARENS. He was commending you, Witness.

Mr. SCHERER. I was commending you.

Mr. ARENS. You have an original transcript here.

Mr. DOYLE. Let's go ahead, please.

Miss BOVINGTON. The committee is relaxed now so that they can go on and listen to me, I hope.

The fourth point: I decline to answer, and I invoke and I stand upon my first amendment, the first amendment of the Constitution. It protects and secures me under a number of things, the things we are fighting for: freedom of speech, freedom of assembly, freedom of a lot of things, thought and association. That is, I stand upon the first amendment to this Constitution.

The fourth amendment, or the fifth amendment I also stand upon. It is very, very important under such conditions.

(The witness confers with her counsel.)

Mr. ARENS. Miss Bovington, is that the last of your dissertation?

(The witness confers with her counsel.)

Mr. ARENS. Is that all in response? Is that your answer?

Miss BOVINGTON. You heard my answer.

Mr. ARENS. Now, ma'am, you were very much perturbed a little while ago. You said that someone might fire you, might get your job if you told us where you worked. And, curiously enough, we have an exhibit here in which you tried to get everybody's job on the House Committee on Un-American Activities back in December 1947?

I see here in the Communist Daily People's World:

Un-American group is chief drive target.

Abolition of the House Un-American Committee by public demand has been set as one of the major objectives of the San Francisco chapter of the Civil Rights Congress, it was announced today by Marva Bovington, executive secretary—

and so forth.

Look at that article and see if you have a little twinge of conscience trying to get everybody's job on this committee and putting all these investigators out of work.

Look at that and see what your reaction is to this question of unemployment.

(Document marked "Exhibit No. 525," see appendix, p. 8033.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Could you help us on that, please?

Miss BOVINGTON. I refuse to answer this question on the protective grounds of the first and fifth amendments.

Mr. ARENS. We have a number of exhibits here, and we don't want to tax you and don't want to tax the time of the committee any more than necessary because we have a number of other witnesses.

Mr. Appell, one of the investigators of the committee, is going to display to you now some checks made payable to yourself by the Los Angeles Committee for Protection of Foreign Born. He is going to show you the registration of yourself in the Southern California Conference to Protect the Rights of the Foreign Born. He is going to show you one or two exhibits from the Communist Daily People's

World with reference to certain activities of various committees, campaign committees.

Would you kindly look at these and just tell this committee if you would be good enough to verify their authenticity.

(Documents marked "Exhibit Nos. 526a-c and 527a-c," see appendix, pp. 8033-8038.)

MISS BOVINGDON. I wouldn't be good enough to. I stand on my constitutional grounds and I protect my interests under the first and fifth amendments.

MR. ARENS. Mr. Chairman, I respectfully suggest that when this witness, if, as, and when she signs her voucher, that part of the voucher bearing her signature be incorporated in the record so there may be a comparison of signatures.

(Document marked "Exhibit No. 528," see appendix, p. 8039.)

MR. ARENS. I now respectfully suggest that will conclude the staff interrogation of this witness.

MR. DOYLE. Mr. Velde, any questions?

MR. VELDE. No.

MR. SCHERER. Did you ask her with reference to her present membership in the Communist Party?

MR. ARENS. I asked her with reference to the identification of Mrs. Schneider. There is a presumption of law that a present state of facts continues.

I will do that. Miss Bovington, are you now a member of the Communist Party?

MISS BOVINGDON. Am I a Catholic? Am I a Jew? Am I a trade unionist?

This is Reichstag fire stuff in the council room today. And it certainly shows and it is proving to the people of the United States what we have to be aware of.

I refuse to answer this question under the first amendment and the fifth amendment.

MR. ARENS. Thank you.

MR. DOYLE. I think I heard you refer to article III, and I wondered if you intended to refer to article III as one of the articles you stood upon in the Bill of Rights because, while you did refer to articles I and V, with article III, I thought maybe you intended to refer to some other article because article III of the amendments refers to the quartering of soldiers in time of peace in any house.

(The witness confers with her counsel.)

MR. DOYLE. I merely call it to your attention so, if you intended at that point to refer to amendment 1 or 5, you wouldn't misquote yourself.

MISS BOVINGDON. I happen to know my Constitution very well. But my counsel, I would like to have explain that to you, as an attorney to an attorney.

MR. DOYLE. I hand a copy of the Constitution and Bill of Rights to counsel, and call your attention to the fact that article III of the amendments refers to the quartering of soldiers.

And I am not criticizing you, madam. I merely wanted to—

MR. MURKIN. Chairman Doyle, do I have your permission to make response to that question?

MR. DOYLE. No, no.

MR. MURKIN. Because she did use article III. She did not mean amendment 3, sir. She meant article III.

Mr. DOYLE. Thank you. That straightens it out satisfactorily.

But I didn't want the witness to refer inaccurately to something she intended to use.

Mr. MURRISH. It is not article I which she separately invoked, but amendment 1.

Mr. DOYLE. I didn't bring this up to criticize anyone. Thank you. The witness is excused.

Mr. ARENS. Mr. Cone Young, please come forward.

Mr. DOYLE. Mr. Young, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YOUNG. I do.

Mr. DOYLE. Thank you.

Will you have the witness chair.

TESTIMONY OF CONE C. YOUNG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. YOUNG. Cone C. Young, 24513 Lakme Avenue, Los Angeles; truckdriver-salesman.

Mr. Chairman, not to interrupt the learned gentleman, would it be appropriate for me to ask one question before we start?

Mr. DOYLE. You are asking me as chairman?

Mr. YOUNG. Yes, as the chairman.

Mr. DOYLE. Go ahead and ask one question.

Mr. YOUNG. First, in the previous interrogations here I have heard my name used, at least the name similar to mine.

I would like for the chairman to be completely positive that all questions asked me are of a nature which I have played some part in perhaps, or have some doings with, because I don't want to be involved in questions that would refer to somebody else at some time.

Mr. DOYLE. I am sure that our counsel will ask you who you are, ascertain who you are, to make sure of your identity so that you can't get mixed up with any other young man.

Mr. YOUNG. Very good.

One further question; very simple.

You have referred to, here, two or three times in the past—I am not a man of letters as some have been here. I am a common worker. But as a constituent of yours, I think it would be appropriate if you would allow me to ask a couple of questions of you in respect to such legislation when it is over. You have allowed that privilege to us.

Mr. DOYLE. You go ahead and answer the questions of our counsel.

Mr. ARENS. Mr. Young, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. YOUNG. That is quite right, sir.

Mr. ARENS. And you are not represented by counsel?

Mr. YOUNG. I am not, sir.

Mr. ARENS. Mr. Young, do you know a man by the name of Louis Rosser, R-o-s-s-e-r?

Mr. YOUNG. I have no recollection of such individual; no, sir.

Mr. VELDE. Mr. Counsel, may I interject here. I don't think you have identified him as to residence and occupation.

Mr. YOUNG. I certainly quoted it, your Honor.

Mr. VELDE. You did?

Mr. YOUNG. Yes, I did.

Mr. VELDE. I am sorry.

Mr. ARENS. Mr. Young, we want to display to you a few documents here. The first document is a call to trade unions, to fraternal and religious groups and so forth, to join a California conference on immigration matters. It has, among other people, a Cone C. Young listed here as a sponsor, identified as president of the Harbor Committee for Protection of Foreign Born.

Kindly look at that and see if that refreshes your recollection and if you are the Cone C. Young alluded to here.

(Document marked "Exhibit No. 529," see appendix, p. 8040.)

(The witness examines document.)

Mr. YOUNG. It is my name, if that is what you refer to, your Honor.

Mr. ARENS. Let me ask you a couple of questions. Were you at that time president of this Harbor—

Mr. YOUNG. No. That is the one I am not. I was not president of anything.

Mr. ARENS. What was your affiliation with that group, that Harbor group?

Mr. YOUNG. I was merely a chairman through request, but not a president.

Mr. ARENS. Have you ever seen that particular document before?

Mr. YOUNG. No, sir; not to my knowledge. No, sir; I don't recall ever seeing it.

Mr. ARENS. Do you have any idea how your name got on there?

Mr. YOUNG. No, I don't, sir. No, I don't.

Mr. ARENS. There is not much difference between a chairman and president, is there?

Mr. YOUNG. I think there is, and I would define it for you later, with the permission of the chairman. I will define it for you.

Mr. DOYLE. Maybe the counsel wants that difference now. Do you?

Mr. ARENS. It is all right with me.

Mr. SCHERER. His idea is different.

Mr. ARENS. I have no objection.

Mr. YOUNG. Mr. Doyle and chairman, it would entail a little bit of lengthy explanation. I hope you will bear with me while I make it.

Mr. SCHERER. If you are telling us the difference between chairman and president.

Mr. YOUNG. No, no—yes, there is a motivation. Shall we use that word? There is a motivation. In other words—no, no. Let's be frank about something. Mr. Doyle, you said we could do that, didn't you? There is a motivation why you climb a pole or why you do anything, isn't there? Am I correct in that?

Mr. DOYLE. We don't want you to get up on the pole here.

Mr. YOUNG. No, but I am trying to make myself clear as to why I would be designated as a certain thing. If I accepted this or did not accept it, it would be motivation thereof, would it not?

Mr. ARENS. To get the record straight, were you at any time chairman of the Harbor Committee for Protection of Foreign Born?

Mr. YOUNG. For a brief period, yes.

Mr. ARENS. When was that?

Mr. YOUNG. I don't recall the dates. It's been quite a long while ago, and I don't recall the dates.

Mr. ARENS. This particular document, I am advised by Mr. Wheeler of our staff, refers to November of 1951.

Mr. YOUNG. If I were to have made a guess at it, which it certainly would have been, it would have been 5 or 6 years, yes. But I couldn't recall that, sir.

Mr. ARENS. Let us see if we can proceed, Mr. Young, by asking you if this document here would refresh your recollection. It is the Communist Daily People's World of March 27, 1951, with reference to a harbor rally to expose witch hunts. According to this article, it was held in the Yugoslav Hall under the auspices of the newly formed Los Angeles Harbor Committee for Protection of Foreign Born. The article further states, is it Cone or Conn?

Mr. YOUNG. Cone. That is right.

Mr. ARENS. Cone C. Young is president.

Kindly look at that and see if this article truly represents the fact. (Document marked "Exhibit No. 530," see appendix, p. 8041.)

Mr. YOUNG. Well, I can answer you without looking at it.

If we are going to use the word "president," no.

Mr. DOYLE. Well, you said a few minutes ago that you were president for a short time.

Mr. YOUNG. No, chairman, Your Honor. I made a distinction.

Mr. DOYLE. I understood you to say you were the president for a short time.

Mr. YOUNG. No. That is why I said the word does not fit the occasion.

Mr. ARENS. You think you are chairman instead of president, that is the difference; is that correct?

Mr. YOUNG. Yes, sir.

Mr. ARENS. Mr. Wheeler is going to display to you a letterhead of the Los Angeles Committee for Protection of Foreign Born with a number of sponsors, including a Cone, C-o-n-e, C. Young. Is that you?

(See exhibit No. 502b, appendix, p. 7984.)

(There was no response.)

Mr. YOUNG. I answer it with respect to that is my name. Yes, that is my name.

Mr. ARENS. Let me ask you this question:

Are you now or have you ever been a member of the Communist Party?

Mr. YOUNG. That is a different story, of course, isn't it, to the question of whether I was a chairman or not of anything? That is an entirely different question, isn't it?

Mr. SCHERER. I move the witness be excused, Mr. Chairman.

Mr. DOYLE. He didn't answer it.

Mr. VELDE. Of course, it is a different question. Would he answer it?

Mr. YOUNG. It is a different question, yes.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. YOUNG. That I cannot answer.

Mr. ARENS. I beg your pardon?

Mr. YOUNG. That I cannot answer.

Mr. ARENS. Mr. Young, a man by the name of Louis Rosser, R-o-s-s-e-r, who was a former Communist Party functionary, has testified under oath before the Committee on Un-American Activities, identifying you as a person who, to his certain knowledge, was a member of the Communist Party.

Was Mr. Rosser lying or was he telling the truth?

Mr. YOUNG. Well, I can't speak for Mr. Rosser, your Honor. I can only speak for myself.

Mr. ARENS. We don't want to quibble with you. Are you now or have you ever been a member of the Communist Party?

Mr. YOUNG. I have no moral obligation or any other kind to speak for anyone but myself. I want to keep it clear. I want to keep it clear.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. YOUNG. No, I shall not answer that question, your Honor.

Mr. SCHERER. Do you want to invoke the fifth amendment?

Mr. YOUNG. Yes, I do.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. YOUNG. I invoke my privileges due me on the fifth amendment.

Mr. SCHERER. I think the record should show that he invoked the fifth amendment.

Mr. DOYLE. Let the record surely show that he intended to and did finally invoke the fifth amendment on the suggestion of Mr. Scherer that he do so. Is that correct?

Mr. YOUNG. That is correct.

Mr. DOYLE. All right, that is all, Mr. Young.

Mr. YOUNG. I asked you previously, Mr. Doyle, to ask a question of you.

Mr. SCHERER. You ask him in his office.

Mr. YOUNG. I didn't get any question. I merely asked for the privilege.

Mr. DOYLE. Go ahead and ask me one question. If I can take 30 seconds to answer it I will do it.

Mr. YOUNG. I will do my best.

In other testimony here by other individuals you said that you would welcome what you thought would be constructive ideas. Is that correct?

Mr. DOYLE. That is right.

Mr. YOUNG. So I wondered if you would allow me that privilege.

Mr. DOYLE. Why, certainly.

Mr. YOUNG. I would certainly put my signature over anything that—

Mr. DOYLE. You do that, Mr. Young, and I am glad you feel that way about it. You write me a letter in Washington, as a member of this committee, over your own signature, as you have offered to do, and give me the benefit of what your opinion is about any or all of the antisubversive or the security provisions of any Federal statutes.

Is that clear?

Mr. YOUNG. Yes, that is clear.

Mr. DOYLE. Send it to me, Congressman Clyde Doyle of California, Washington, D. C., and I will get it. And I will acknowledge receipt of it to let you know I got it.

Mr. YOUNG. I would rather incur. Mr. Doyle—I wouldn't want to go too lengthy, but I would like to say, with all due respect—I mean this, you understand—with every constructive idea in the world, that I actually believe that when I make this very brief statement, to use a phrase which is commonly used, that you cannot see the forest for the trees, or you cannot see the city for the houses. I actually believe that this committee and these gentlemen do not understand the importance of public feeling.

Mr. DOYLE. You write the letter you have in mind on the subject of the antisubversive sections of any Federal statutes.

I don't want you to write me a long letter about something else. I am inviting you to write me, as you offered to do, on this one subject of the antisubversive, anti-Communist legislation by Congress.

And I will welcome it and promptly acknowledge receipt of it.

Thank you very much.

You are excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Anne Perpich McTernan.

Anne Perpich, P-e-r-p-i-c-h, the last name, I believe, is McTernan. But we will have to check that.

Mr. DOYLE. Will you please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. McTERNAN. I do.

Mr. DOYLE. Thank you.

Will you please take the witness chair.

TESTIMONY OF MRS. ANNE PERPICH McTERNAN, ACCOMPANIED BY COUNSEL, WILLIAM B. MURRISH

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. McTERNAN. Anne Perpich McTernan. Residence: 3901 Sutro Avenue. Occupation: housewife.

Mr. ARENS. May I be sure I have your name spelled correctly. Anne. A-n-n-e?

Mrs. McTERNAN. That is correct.

Mr. ARENS. Middle name: P-e-r-p-i-c-h?

Mrs. McTERNAN. That is correct.

Mr. ARENS. And your last name: M-c T-e-r-n-a-n?

Mrs. McTERNAN. Yes.

Mr. ARENS. It is Mrs. McTernan?

Mrs. McTERNAN. That is right.

Mr. ARENS. You are appearing today, Mrs. McTernan, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. McTERNAN. That is correct.

Mr. ARENS. You are represented by counsel?

Mrs. McTERNAN. Yes.

Mr. ARENS. Mrs. McTernan, are you now or have you ever been a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. McTernan. Mr. Chairman, may I give my answer to that question?

Mr. ARENS. You may, Ma'am, as soon as we find out what you are going to do there. You have a prepared statement?

Mrs. McTernan. Mr. Chairman, would you instruct your staff member to give me the same courtesy that he has given Mrs. Schneider this morning? He told her to proceed at her own pace.

May I proceed at my own pace, please?

Mr. DOYLE. That depends upon what your pace is.

Mrs. McTernan. I would like to answer the question.

Mr. SCHERER. Mrs. Schneider didn't take the fifth amendment this morning. She answered all the questions.

Mr. DOYLE. Probably the counsel asked that question because he saw what I saw. You lay some papers and typewriting in front of you. Now if that is a prepared speech we want to know that. If it is merely memoranda prepared by you, then you are entitled to refer to them.

Mrs. McTernan. These are notes that I intend to refer to.

Mr. DOYLE. Did you make the notes?

Mrs. McTernan. I did so indeed. And I am insulted that you permit your staff member to ask such a question.

Mr. DOYLE. He didn't ask you that. I asked you. And I assure you I didn't intend to insult you.

Mrs. McTernan. May I proceed?

Mr. DOYLE. Yes, go ahead.

Mrs. McTernan. You asked me here because you disagree with what you think I stand for. And because you disagree with what you think I stand for, you are going to try to hold me up to the pillory like in the old-fashioned colonial days. And I would now like to give you the legal reasons why I will not answer.

Mr. DOYLE. Very good. Give us the legal reasons.

Mrs. McTernan. The first reason for refusing to answer that question is under our system the people have a right to an independent opinion. Government and law in this country rest upon the consent of the governed. Neither you nor any agency of government has any power to interfere with or coerce the consent by such proceedings as this.

My second reason: under the first amendment I have an inalienable right to my own opinions and my own associations. This kind of a proceeding is an attempt to deny me my first amendment freedom.

The third reason: your questions are an effort to call me to account for what I believe, what I have said and what I think. No legislative body has the right to accuse or call to account the people of this country on this or any other matter.

Mr. SCHERER. On this or any other matter?

Mrs. McTernan. That is right.

Mr. SCHERER. Don't you think—

Mrs. McTernan. May I finish?

Mr. SCHERER. Yes, but I have got to interrupt you right here.

Do you think a committee of Congressmen can investigate the illegal sale of narcotics in this country?

Mrs. McTERNAN. Mr. Chairman, may I finish my answer, please, to the first question that was posed to me?

Mr. DOYLE. Here is a proper question in view of your declaration that Congress has no right to ask an American citizen any question. You made that statement just now.

Mrs. McTERNAN. On matters of legislation.

Mr. DOYLE. Well, may I be frank with you?

Do you mean that Congress can't legislate or can't investigate in the field of, for instance, legislation against narcotics? Is that your statement?

Mrs. McTERNAN. Mr. Chairman, I am directing my answer to the question originally put before me regarding my political associations and my beliefs.

Mr. DOYLE. No. We are not asking you about your political associations. We are asking you whether or not you were a member of the Communist conspiracy. The Communist Party is not a legal political party; it is a conspiracy as a matter of declaration by the United States Congress.

We are not inquiring into your affiliations or anything of the sort. We are asking you for the purpose of getting at whether or not, and the manner in which, you have been active, if you have been, in the field of trying to repeal or destroy the effectiveness of anti-Communist legislation. And that is the purpose of the question. But we will not question you as to your views or your opinions on legislation. You have a right to those opinions.

But we take it that if you are going to lobby Congress we are entitled to know where the lobbying comes from, whether it comes from a bona fide citizen or a dummy Communist front.

Mrs. McTERNAN. Mr. Chairman, you have asked me a question. I would like to give you my legal reasons.

Mr. DOYLE. Go ahead.

Mrs. McTERNAN. For refusing to answer that question.

Mr. DOYLE. Go ahead and read the other reason.

Mrs. McTERNAN. If you will extend to me the courtesy and the amenities that you have extended to the witnesses that come here to tell you what you would like to hear——

Mr. DOYLE. Go ahead.

Mrs. McTERNAN. I would appreciate that.

Mr. DOYLE. Go ahead and read your prepared statement very quickly.

Mrs. McTERNAN. These are notes that I have written down because I am not a lawyer, and I want to make sure that I know my legal rights and that I am protected by those legal rights before such a body as this.

Mr. DOYLE. I am sure you are being protected. Your counsel is very able.

Mrs. McTERNAN. May I continue now?

Mr. DOYLE. Go ahead. Don't ask that question unnecessarily. Go ahead.

Mrs. McTERNAN. You are not a court or a grand jury, and your efforts to be either one are subversive of the Constitution. Number four——

Mr. SCHERER. May I ask you another question?

Mrs. McTERNAN. You are asking me these questions to ensnare me in a possible prosecution. I refuse to be a witness against myself.

Mr. SCHERER. Madam, would you desist a minute? I have a question to ask you. I certainly have a right to inquire, and you can continue.

Mrs. McTERNAN. I am still answering the first question, sir.

Mr. SCHERER. I want to ask a question about all these reasons you are giving. You are saying this is not a court or grand jury.

Would you tell a grand jury, if they asked you, whether you were a member of the Communist Party? Or would you use these same arguments before a grand jury?

(The witness confers with her counsel.)

Mr. SCHERER. The district attorney is sitting right over here. He might be interested in calling you and asking you that question; if you would say that you would be willing to tell a grand jury without invoking the fifth amendment.

Mrs. McTERNAN. I have given you the first amendment as one of my legal grounds, and I am protected by that. And I would like to continue to give you my reasons for refusing to answer the first question that was directed to me.

Mr. SCHERER. We will reserve that, and then we will ask that same question.

Mrs. McTERNAN. You are asking me these questions to try to ensnare me in a possible prosecution. I refuse to be a witness against myself.

Mr. DOYLE. No. We are not.

Mrs. McTERNAN. The fifth amendment is designed to protect those—

Mr. DOYLE. Let the record show, as chairman of the committee, I protest that statement as absolutely false and groundless.

(The witness confers with her counsel.)

Mrs. McTERNAN. I think that is a very reasonable statement, and I stand on it. The fifth amendment is designed to protect those who disagree with those temporarily in power. In short, your body is an instrument of tyranny, and I refuse to cooperate with your efforts to destroy the American Constitution.

Mr. ARENS. Is that all of your answer, ma'am?

Mrs. McTERNAN. That is the end of my answer.

Mr. SCHERER. Will you, if called by the District Attorney before the grand jury, tell the grand jury then whether you are a member of the Communist Party?

(The witness confers with her counsel.)

Mr. SCHERER. You raised the question about this not being a court or jury.

Mrs. McTERNAN. I refuse to answer that on the grounds previously stated, Mr. Scherer.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. ARENS. I want to display to you a document. It is a photostatic copy of your picture taken in Budapest, Hungary.

American delegates to the Second World Youth Congress in Budapest arrived in New York aboard the *Queen Mary* yesterday.

(The witness confers with her counsel.)

Mr. ARENS. This photograph in 1949 shows a number of young people including an Anne Perpich, P-e-r-p-i-c-h, who just returned from Budapest, Second World Youth Congress.

Look at that photograph and that article.

Would you kindly look at it?

(Document marked "Exhibit No. 531," see appendix, p. 8041.)

Mrs. McTERNAN. I think the photographers and you want to get a sensational story. So I will wait until the photographers snap the picture.

Mr. ARENS. Don't you want him to take your picture looking at your picture taken in Budapest, Hungary?

(The witness confers with her counsel.)

Mrs. McTERNAN. I decline to answer your question on the grounds previously stated, sir.

Mr. ARENS. Now look at the picture and tell this committee, if you please, ma'am, if that is your picture taken as you returned from the World Council of Communist Youth at Budapest, Hungary. While you are under oath tell this Committee on Un-American Activities if that is a true and correct representation of you and description of your activities.

Mrs. McTERNAN. Would you ask me that? I got a little lost. I thought I followed the beginning of the question, but not the last.

Mr. ARENS. Take a look at the picture and I can ask you the question. Look at the picture and tell this committee whether or not you were in Budapest, Hungary, in 1949 with this Communist world youth festival.

Mrs. McTERNAN. Same grounds.

Mr. ARENS. What do you mean, same grounds?

Mrs. McTERNAN. I refuse to answer the question on the same grounds.

Mr. ARENS. Have you changed your mind about all this? Do you know what has happened in Budapest in the course of the last several weeks? The Communist Soviet tanks have been mowing down the people like wheat in a wheat field.

Mrs. McTERNAN. Are you asking my opinion?

Mr. ARENS. I am asking it of you in all earnestness.

Mrs. McTERNAN. I am asking you in all earnestness, will you try to listen to the people and desist from going about destroying the Constitution of the United States?

Mr. ARENS. Are you now a member of a conspiratorial apparatus based on deceit and deception and perversion, designed to destroy the Constitution of the United States?

Mrs. McTERNAN. I refuse to answer that on the same grounds.

Mr. ARENS. Now we want to display to you a photograph of yourself taken individually.

Pick Your Youth Fighter for Peace.

The Western Pennsylvania Youth Committee for Peace.

Vote for the young person you want to represent you in Budapest, Hungary, at the World Federation of Democratic Youth Peace Conference—August 1949.

There are three young ladies there, and your picture is No. 2—Ann Perpich. Look at that photograph in that exhibit and tell this com-

mittee whether or not that is a true and correct representation of yourself.

(Document marked "Exhibit No. 532," see appendix, p. 8042.)

(The witness confers with her counsel.)

Mrs. McTERNAN. The great Roman historian, Tacitus, once said:

Rare and happy are the times when we may think and express what we feel.

Unfortunately, gentlemen, this is one of those dark times when we can't speak what we sincerely feel.

Mr. ARENS. Did you rehearse that, too, prior to the time you came here?

Mrs. McTERNAN. That is one of my favorite quotes, and I love it. I thought I would like to share it with you.

Mr. ARENS. We appreciate that. Now would you just share with us your knowledge with reference to this Communist youth festival held in Budapest, which you attended?

(The witness confers with her counsel.)

Mrs. McTERNAN. I am defending the Constitution for myself as well as for all others, and I stand on the same grounds previously stated.

Mr. ARENS. Now would you tell us about this Committee for World Youth Friendship and Cultural Exchange which met in Berlin. And that is an initiating committee, according to this document, including one Anne Perpich, Pittsburgh Sloboda, S-l-o-b-o-d-a, Singing Society.

Were you a member of the Pittsburgh Sloboda Singing Society and did you initiate, or were you one of the initiators, of that international conference held in Berlin?

(Document marked "Exhibit No. 533a, b," see appendix, pp. 8043, 8044.)

Mrs. McTERNAN. Are you trying to deny me the right to sing also?

Mr. DOYLE. May we have the answer, please?

Mrs. McTERNAN. Same grounds.

Mr. ARENS. Mr. Appell of this staff is going to display to you a number of checks payable to yourself by the Los Angeles Committee for Protection of Foreign Born. Some of these checks are original checks and some of these checks are photostats. Kindly look at these checks and see if you can verify their authenticity.

(Document marked "Exhibit No. 534a," see appendix, pp. 8045, 8046.)

(The witness confers with her counsel.)

Mr. SCHERER. That committee had a lot of people on the payroll.

Mr. ARENS. They collected a lot of money and they still do. They will keep on collecting long after we leave town.

Mr. SCHERER. To support all these Commies.

Mr. ARENS. As the chairman knows and as the distinguished committee member of Ohio knows, there are 180 organizations that we know of which the Communists have created for the purpose of destroying this one law, in addition to the organizations they have created to destroy the other laws.

We were having a little colloquy on the side. Now we are ready for your answer.

Mr. SCHERER. I wonder if the people who contribute to these organizations are aware of the fact that their contributions eventually find their way into the hands of these Communists. Do they know that?

Mr. ARENS. That is one of the tragedies, Mr. Scherer.

Mrs. McTERNAN. I think it is a tragedy that your committee is trying to stop people from gathering and discussing and working to repeal or amend any legislation, no matter what their policies.

Mr. ARENS. Have we done anything to stop you in any of your efforts in that regard? If we have, tell us about it and we will apologize to you if we stopped you in any efforts of that kind. Tell us anything we have done now to stop you in your efforts to cause a repeal of the immigration laws, the Smith Act, the Internal Security Act, the Communist Control Act, or any of the other anti-Communist legislation on the books. Have we done anything to stop you?

Mrs. McTERNAN. Is that the outstanding question now?

Mr. ARENS. Have we done anything to stop you?

Mrs. McTERNAN. It is obvious that you are pillorying me here for anything that you think I have done.

Mr. ARENS. You tell us what you have done, that we have tried to stop.

(The witness confers with her counsel.)

Mrs. McTERNAN. The same grounds.

Mr. ARENS. Now did you invoke the fifth amendment yet on the checks?

Mrs. McTERNAN. I asked you if there was an outstanding question.

Mr. ARENS. Then I apologize to you. I have stopped you in one of your answers.

Tell this committee are those checks there, which bear your endorsement, payable to you from the Los Angeles Committee for Protection of Foreign Born, true, correct, authentic checks? Or are they forgeries and fakes?

Mrs. McTERNAN. I will not answer that. The same grounds.

Mr. ARENS. What do you mean "the same grounds"? Let's get the record clear, please.

Mrs. McTERNAN. All the grounds that I have stated in the record.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I instruct you, madam, to answer the question.

Mrs. McTERNAN. I refuse, Mr. Chairman, on the same grounds, previously stated.

Mr. SCHERER. Just a second. We have to have a little conference here.

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. SCHERER. What services did you render to the Committee for Protection of Foreign Born that entitled you to this money?

Mrs. McTERNAN. I refuse to answer that question on the same grounds.

Mr. SCHERER. Were you interested in helping the Committee for Protection of Foreign Born on an ideological basis or because you received pay for helping them?

(The witness confers with her counsel.)

Mrs. McTERNAN. It is obvious, Mr. Congressman, that you are trying to bait me. Aren't you? I refuse to get into any kind of a discussion with you on your grounds for the same reasons previously stated.

Mr. SCHERER. You are refusing to answer that question then on the grounds of the fifth amendment. Is that correct?

Mrs. McTERNAN. On all the grounds I have. If you wish, I will read them all over again.

Mr. SCHERER. Including the fifth amendment?

Mrs. McTERNAN. I will gladly repeat all of the grounds that I have stated if you wish me to.

Mr. SCHERER. Did the people who were members of the American Committee for Protection of Foreign Born realize that you were a Communist? Did you tell them that?

Mrs. McTERNAN. The same grounds, Mr. Scherer.

Mr. SCHERER. Was this money for services you rendered or for expenses you incurred in connection with your activities on behalf of the Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. McTERNAN. Same grounds, Mr. Congressman.

Mr. DOYLE. I think, Mr. Scherer, I could help answer that question as long as the witness didn't.

Here are some 10 or 12 checks for salary to this witness, with other items like expenses and so forth. There is salary—\$50; salary—\$50; salary—\$50; and so forth. That answers your question.

Mr. SCHERER. There is another motive then besides—

Mr. DOYLE. Some 18 or 20 checks.

Mr. SCHERER. Besides the extreme interest in the foreign born.

(The witness confers with her counsel.)

Mr. SCHERER. I think we need a committee to defend some of these aliens from agents such as this woman here.

Mr. ARENS. Mr. Chairman, perhaps the next witness would help the committee on that very issue that you are talking about.

Now we have here a letter on the letterhead of the Los Angeles Committee for Protection of Foreign Born, which Anne M. Perpich, signs as administrative secretary. I respectfully suggest that this be displayed to her and that if, as, and when she signs a voucher for her per diem and expenses, that part of the voucher bearing her signature be incorporated in the body of the record so there may be a comparison of signatures.

(Document marked "Exhibit Nos. 534b, c," see appendix, pp. 8047, 8048.)

Mr. DOYLE. I wish to state this, that I was under the impression, from most of the witnesses here in the last 2 days in connection with the Committee for Protection of Foreign Born, that they were volunteer citizens who were doing an unselfish job for the protection of foreign born.

It is revealing that there are—

Mr. SCHERER. So many on the payroll.

Mr. DOYLE. So many on the payroll.

Where does the money come from?

Mr. ARENS. Maybe the witness could help us on that.

Mr. SCHERER. And so many Communists on the payroll. We haven't found a one who wasn't a Communist on the payroll.

(The witness confers with her counsel.)

Mr. SCHERER. I wonder if the contributors know that.

Mr. ARENS. Would you kindly answer the outstanding question?

Mr. Chairman, does the record reflect that the signature on the voucher is to be incorporated?

Mr. DOYLE. So ordered.

Mr. ARENS. Would you answer the outstanding question?

Mrs. McTERNAN. I think you will agree with me this is truly an unfair forum, all of you standing here hurling all those question, side discussing going on. What is it you would like? What is the question outstanding?

Mr. ARENS. The question is, Is that your signature on the letter-head?

Mrs. McTERNAN. Same grounds.

Mr. SCHERER. Just a minute. Is any insinuation or any statement I have made about you or the Committee for Protection of Foreign Born, false?

Mrs. McTERNAN. I refuse to dignify that answer, on the same grounds previously stated.

Mr. SCHERER. You just said that I was making some false charges and insinuations, and I give you the opportunity now to say in what respect anything I said, or any insinuation I made, was untrue or false.

And I am convinced, young lady, what I said is true.

(The witness confers with her counsel.)

Mrs. McTERNAN. That is your conviction.

Mr. SCHERER. The only evidence we have before this committee is the fact that those on the payroll were known Communists.

(The witness confers with her counsel.)

Mr. DOYLE. That is those on the payroll of the Los Angeles Committee for Protection of Foreign Born.

Mr. SCHERER. That is right.

Mr. ARENS. Mr. Appell of our staff is going to display to you a number of exhibits in the interest of economy of time.

We have here the signature cards by yourself signing for the Los Angeles Committee for Protection of Foreign Born in your capacity of administrative secretary. We have letterheads and other documents of that character. We have documents with respect to various conferences in which you were identified.

Kindly look at those documents and tell this committee while you are under oath if you would be good enough to verify their authenticity in describing you and your activities.

(The witness confers with her counsel.)

Mrs. McTERNAN. Same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any question?

Mr. VELDE. No questions.

Mr. SCHERER. No questions.

Mr. DOYLE. The witness is excused.

Mr. ARENS. Could we recess about 5 minutes, Mr. Chairman.

Mr. DOYLE. The committee will stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle, Velde, and Scherer.)

Mr. DOYLE. The committee will please reconvene.

Let the record show that all three members of the subcommittee are present.

Mr. ARENS. Stephen Fritchman, kindly come forward.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Reverend FRITCHMAN. I do.

**TESTIMONY OF STEPHEN H. FRITCHMAN, ACCOMPANIED BY
COUNSEL, ROBERT W. KENNY**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Reverend FRITCHMAN. Stephen H. Fritchman. As for the occupation, I have already answered that question in published testimony by this committee of September 1951.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. It will only take you a fraction of a second.

Reverend FRITCHMAN. I am objecting to answering anything but my name on the grounds that I would now like to state, and I have prepared the statement of a page and a half as to the grounds for refusing to answer the question.

Mr. SCHERER. I object to the reading of a statement.

Mr. DOYLE. That is a prepared statement by you?

Reverend FRITCHMAN. This is the statement of why I am objecting to answering these questions, and it would be saving all of our time, I believe, if I could read it to you at this time.

Mr. VELDE. Have you supplied the committee with a copy of it?

Reverend FRITCHMAN. I have brought a copy to supply the committee with.

Mr. VELDE. Within a reasonable length of time prior to your appearance here?

Reverend FRITCHMAN. I prepared it yesterday.

Mr. VELDE. I think you know what the committee rules are, don't you? I am sure your attorney does.

Mr. DOYLE. We haven't received a copy of that, Reverend Fritchman.

Reverend FRITCHMAN. I have come here the first time and I have brought a copy with me.

Mr. DOYLE. I know. But under the rules we were supposed to receive a copy of that, and then we could determine whether or not we would be able to allow you to read the whole statement.

Reverend FRITCHMAN. Well, it is about 250 words of the reason I am declining to answer the question. It is relative to the question.

Mr. VELDE. Mr. Chairman, I don't think we should violate our own rules and allow him to read this statement to us.

(The witness confers with his counsel.)

Mr. VELDE. I think it might be all right to have him submit it to us for consideration. Outside of that, I object to him reading the statement.

Mr. DOYLE. Our rules provide that you should have provided us with a copy of that statement. Therefore, go ahead and give your reasons orally, but I can't permit you to read the statement.

Reverend FRITCHMAN. Well, in the statement I have a sentence that is a specific answer as to why I am refusing on the basis that I have already answered the questions and on the basis of the first and fifth amendments. I decline to answer information already given to the committee in two previous hearings. I have answered the questions.

Mr. ARENS. Now, sir, are you now, or have you ever been, a member of a godless conspiracy controlled by a foreign power?

Reverend FRITCHMAN. That is a rather loaded question with valued judgments that I am not accepting. I decline to answer, having answered that question in 1946. For the same reasons I gave before.

Mr. ARENS. Just a moment, sir.

Reverend FRITCHMAN. I am finishing a sentence. You asked me a question.

Mr. ARENS. Before you declined to answer the question you made a comment, and I want you to tell this committee in what respect you take issue with the committee.

Mr. KENNY. Mr. Chairman, I am a lawyer. I don't think the reporter could possibly have that transcript correct. I think if we can have the counsel and witness talk one—

Mr. ARENS. Counsel, you have received a copy of the rules of this committee.

Mr. KENNY. I am an old practitioner before this committee.

Mr. ARENS. As an old practitioner you know that your sole and exclusive prerogatives are to advise your client.

Now please answer the question, sir.

Mr. KENNY. I think—

Mr. ARENS. In what respect do you take issue with the question?

Mr. KENNY. I think the record should be read if the reporter can be so directed.

Mr. ARENS. Mr. Chairman, I suggest that counsel be admonished that his sole and exclusive prerogatives are to advise his client as to his rights.

Reverend FRITCHMAN. I object to anything but a direct question. I felt it was a rather loaded question.

Mr. ARENS. Tell us what is loaded about it. That is what we want you to tell us about it. What is loaded about that question?

Reverend FRITCHMAN. I will be glad to. I object to your use of adjectives. Why don't you just ask the question you have in mind?

Mr. ARENS. Tell us what adjectives you object to.

Reverend FRITCHMAN. The word "godless."

Mr. ARENS. Why do you object?

Reverend FRITCHMAN. I am not—

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Reverend FRITCHMAN. I decline to answer any further on this.

Mr. ARENS. I respectfully suggest this witness has volunteered a statement. He opened the door. He said he protests the use of the word "godless" in connection with a question in which I was describing the Communist conspiracy. I insist the witness be ordered and directed to answer the question.

(The witness confers with his counsel.)

Reverend FRITCHMAN. Will you kindly read the record so I will have the question straight.

(Whereupon, the record was read by the reporter as follows:)

Now, sir, are you now, or have you ever been, a member of a godless conspiracy controlled by a foreign power?

Reverend FRITCHMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. DOYLE. I think, Mr. Kenny, that I just want to observe that ought to prove that we have the best stenotype reporter in the country.

Mr. ARENS. Let's be sure this record is clear Reverend Fritchman, is your declination here to the principal question——

Reverend FRITCHMAN. To the question as read.

Mr. ARENS. Or is your declination with reference to the subsidiary question as to why you protest the use of the word "godless" as an adjective describing the Communist conspiracy?

Reverend FRITCHMAN. To the question as read by the reporter, I have given the answer.

Mr. ARENS. Do you protest the use of the word "godless" as an adjective describing the Communist conspiracy?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I am refusing to answer this on the grounds it is a matter of opinion and we are not here to discuss opinions before this committee.

Mr. ARENS. Now, Mr. Chairman, the witness opened the door on this query by protesting the use of the word "godless" in my description of the Communist conspiracy. It was a voluntary statement, and I insist that he be ordered and directed to answer that question at his peril.

Mr. DOYLE. Reverend Fritchman, I don't think you have answered that question.

Reverend FRITCHMAN. I am refusing to answer questions of opinion, theological or otherwise, since this is not——

Mr. DOYLE. On the grounds of what?

Reverend FRITCHMAN. On the grounds that that is not the purpose of this committee. It was not instructed to inquire into matters of religious opinion.

Mr. DOYLE. Is that your sole objection?

Reverend FRITCHMAN. My objection is——That is my objection. And on the grounds of the first and fifth amendments. This is not a relevant place.

Mr. SCHERER. He has refused to answer on the grounds of the first and fifth amendments. Let's go to the next question.

Mr. ARENS. Now, Mr. Fritchman, my associate here—Mr. Wheeler—is going to display to you a number of letterheads of the Los Angeles Committee for Protection of Foreign Born in which your name appears as one of the honorary cochairmen.

Kindly look at those letterheads, and, while you are under oath, tell this Committee on Un-American Activities whether or not you are accurately described on those letterheads.

(See exhibits No. 433-437, appendix, pp. 7858-7860.)

Mr. KENNY. Is there any suggestion the witness is not under oath, Mr. Chairman? This, I think, is unnecessarily offensive to this witness. I think that——

Mr. ARENS. I respectfully suggest that counsel again be advised that your sole and exclusive prerogatives are to advise this witness, sir.

Mr. KENNY. I am addressing myself to the chairman.

Mr. ARENS. And you are under the rules of this committee as we all operate.

Mr. KENNY. Can I speak to you, Mr. Chairman? I think that the traditions of courtesy of the California bar should be imparted to counsel here. There is no point in asking this man, this witness, if he is under oath while he is under oath. This is unnecessarily offensive to this witness.

Mr. ARENS. I suggest the witness be ordered and directed to answer the question.

Mr. VELDE. I am going to object to this tirade. I think Mr. Kenny in his prior appearances has maintained a good attitude.

Mr. KENNY. We never had anything like this before.

Mr. VELDE. You don't talk back to the committee.

Mr. KENNY. We have always gotten along. I have never had a witness insulted like this before.

Mr. VELDE. I object to anything further.

Mr. KENNY. Just cool your counsel down.

Mr. ARENS. Now kindly answer the question.

Reverend FRITCHMAN. I decline to answer under the first and fifth amendments regarding associations.

Mr. ARENS. The reporter says counsel has not been identified on the record.

You are appearing today with counsel, Mr. Fritchman?

Reverend FRITCHMAN. Robert Kenny is my counsel.

Mr. ARENS. Is counsel properly identified on the record?

Mr. SCHERER. Yes.

Mr. ARENS. My associate Mr. Wheeler is going to lay before you still another document. It is a letterhead of the Sixth Annual Conference To Repeal the Walter-McCarran Law and Defend Its Victims, in which the name of Stephen H. Fritchman appears as one of the sponsors.

Kindly look at this document and tell us whether or not it accurately describes you.

(See exhibit No. 467, appendix, p. 7901.)

(The witness confers with his counsel.)

Reverend FRITCHMAN. I decline to answer for the same reasons.

Mr. ARENS. Now we have a document, the 24th National Conference of the American Committee for Protection of Foreign Born to be held here in Los Angeles tomorrow, December 8 and 9, 1956. And among the sponsors, according to this document, is Rev. Stephen H. Fritchman.

(Document marked "Exhibit VIII," see appendix, pp. 8440-8465.)

Kindly look at this document and tell this committee, if you please, while you are under oath, whether or not that is you.

Mr. KENNY. If the chairman please, I think that is unnecessarily offensive, and I ask that counsel be instructed not to insert this "while you are under oath."

Mr. SCHERER. Do you raise that question because perhaps you—

Mr. KENNY. Just as a matter of common courtesy.

Reverend FRITCHMAN. I have taken the oath and I—

Mr. ARENS. You are not taking issue with me that you are not under oath, are you?

Mr. SCHERER. Wait a minute. Let's get this straight.

Do you have in mind, in asking that question, the witness refusing to answer the question as to Communist Party membership?

Mr. ARENS. That among other things, yes, sir.

Mr. SCHERER. I can see his point.

Reverend FRITCHMAN. Mr. Chairman, in the statement that I would like to offer and which you have rejected, I have some comments regarding the Walter-McCarran Act and so on. So they are there if the committee is interested in having them. Otherwise I shall say I am declining to answer the question as asked for the same reasons.

Mr. ARENS. Do you express your opinion—

Reverend FRITCHMAN. I am expressing no opinions. This is not where I express my opinions. I have other opportunities.

Mr. ARENS. And upon what basis do you have your other opportunities? Where do you express your sentiments and your position on the Walter-McCarran Act?

Reverend FRITCHMAN. I have it right here in my statement I am very eager to get into the record.

Mr. ARENS. Where else have you expressed it?

Reverend FRITCHMAN. That is why I am trying to present them now.

Mr. ARENS. Please tell us and not quibble, sir.

Reverend FRITCHMAN. I am not quibbling.

Mr. ARENS. Where else do you express yourself?

Reverend FRITCHMAN. I am declining to answer the matter of my associations, and where I speak and work is a matter of public record, rather expensive record.

Mr. ARENS. Then I respectfully suggest that this record now reflect an order and direction to this witness to answer the question.

Mr. DOYLE. What was the question so we can clarify it?

Mr. ARENS. The question is, Where does he express these positions on the Walter-McCarran Act?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I indicated—I think the record will show I have answered that question.

Mr. SCHERER. Do you want to file the statement with the committee?

Reverend FRITCHMAN. I would like to file the statement so as to give the answer.

Mr. ARENS. Have you ever applied for a United States passport?
(The witness confers with his counsel.)

Reverend FRITCHMAN. I decline to answer under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you, Reverend Fritchman, to answer the question.

(The witness confers with his counsel.)

Reverend FRITCHMAN. Does this have a legislative purpose, Mr. Chairman?

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness now be ordered and directed to answer that question.

Mr. DOYLE. It is tied in with a legislative purpose.

(The witness confers with his counsel.)

Reverend FRITCHMAN. May I, since I don't see the relevance, sir, ask the pertinence of the question to the purposes of this committee?

Mr. DOYLE. Well, very briefly, of course, the uncontradicted evidence shows—and it is shown in this hearing, I believe, without contradiction—that most of the leadership in the Los Angeles Committee for Protection of Foreign Born who are getting salaries have been identified as Communists. We, of course, are only interested in the field of anti-Communist and antisubversive legislation.

(The witness confers with his counsel.)

Mr. DOYLE. The question of passports is very pertinent to the activities of known Communists, both in the Committee for Protection of—

Reverend FRITCHMAN. I do not see the relevance of the question, of my asking for a passport, sir, to the purpose of this committee as established.

Mr. DOYLE. I direct you to answer the question.

Reverend FRITCHMAN. I decline to answer on the grounds of the first and fifth.

Mr. ARENS. Mr. Wheeler is going to present to you a photostatic copy of your passport application bearing your signature. Kindly look at this document, if you please, sir, and tell this committee, while you are under oath, whether or not that is your signature.

(Document marked "Exhibit No. 535a, b," see appendix, pp. 8049-8051.)

Mr. KENNY. Is there some suggestion that the oath has been—

Mr. ARENS. We have been over this ground 2 or 3 times before. We have directed your attention three times to the fact that your sole and exclusive prerogative is to advise your witness on his constitutional rights.

Mr. KENNY. I am talking to the chairman.

Mr. ARENS. In doing so now in this setting and this technique, you are violating the rules of the committee.

Mr. DOYLE. It is a form of question, as Mr. Scherer has brought out, Mr. Kenny, that we feel under certain circumstances is pertinent. It is a form that Mr. Arens uses. It is not intended as any insult to this witness, I assure you. It may be objectionable to you and to others.

Mr. KENNY. I am sure it is objectionable to you as a California lawyer. You know it wouldn't pass in California.

Mr. ARENS. You know, Counsel, your conduct in any court in violation of the rules of the court, as you are violating the rules of this committee now, would land you in jail for contempt in 30 seconds.

Mr. KENNY. I think Mr. Doyle and I get along all right. The committee and I get along all right.

Mr. DOYLE. I have instructed you, didn't I, Reverend Fritchman, to answer the question?

Reverend FRITCHMAN. I decline to answer on the grounds of the first and fifth.

Mr. ARENS. Mr. Fritchman, we want to lay before you a copy of the Los Angeles Examiner of September 18, 1952, showing your picture taken with the Red Dean of Canterbury. Under the picture is this heading:

The Trip's Off—The Reverend Stephen H. Fritchman, who was refused a passport yesterday for an alleged "startling record" of Red-front affiliations, is

shown at right, greeting the Very Rev. Hewlett Johnson, the Red Dean of Canterbury, on the latter's visit to Los Angeles, December 9, 1948.

Kindly look at that document and tell us whether or not that is a true and correct representation of the facts.

(Document marked "Exhibit No. 536," see appendix, p. 8052.)

Reverend FRITCHMAN. I decline to answer on the grounds of the first and fifth amendments, and freedom of association.

Mr. ARENS. I invite your attention, if you please, to a photostatic copy of a page from the Communist Daily People's World (February 10, 1953). "Five-Point Fight Mapped for Foreign-Born Defense."

It tells about a program of a conference to defend the rights of foreign-born Americans, at which one of the speakers, whose photograph appears here, is Rev. Stephen Fritchman.

Kindly look at this document and tell us if you can verify its authenticity with reference to your participation in that conference.

(Document marked "Exhibit No. 537," see appendix, pp. 8053, 8054.)

Reverend FRITCHMAN. I have already presented material regarding my sentiments on the foreign born and the Walter-McCarran Act. So I decline to answer regarding this question on identification of an exhibit.

Mr. ARENS. Do your sentiments expressed here coincide with the sentiments which you have already presented?

Mr. SCHERER. I think maybe you handed us the wrong document. This has nothing to do with the Walter-McCarran Act. It has nothing to do with legislation.

Reverend FRITCHMAN. That is the wrong statement.

Mr. ARENS. You spoke just a moment ago about the sentiments which you have submitted to this committee.

Reverend FRITCHMAN. That I have submitted to the committee—

Mr. ARENS. How do these sentiments compare? Do they coincide with the sentiments you discussed in this conference?

Reverend FRITCHMAN. I decline to discuss the opinions in this committee.

Mr. ARENS. You just had a little opinion.

Reverend FRITCHMAN. I am trying to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be directed to answer the question.

Mr. KENNY. May I have the question read?

Reverend FRITCHMAN. Will you read the question?

(The record was read by the reporter as follows:)

How do these sentiments compare? Do they coincide with the sentiments you discussed in this conference?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I do not see, Mr. Chairman, that this question is relevant to any legislative purpose of the work of this committee. So I would decline to answer. Am I correct?

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I don't know what your answer may be. I am going to have to assume that, for the purpose of the question, counsel has in mind a legislative intent and connection in asking me to direct you to answer the question.

(The witness confers with his counsel.)

Reverend FRITCHMAN. Am I incorrect, Mr. Chairman, that I have a right to be told what the relevance is and what the purpose is?

Mr. SCHERER. That statement was made by the chairman at the beginning of the hearing.

Mr. DOYLE. I think I made it clear.

Mr. SCHERER. It has been in the newspapers.

Mr. DOYLE. The purpose of this hearing, as you know, is to learn of the activities of identified Communists or Communist fronts—

Reverend FRITCHMAN. Mr. Chairman—

Mr. DOYLE. In the field of legislation either directly or through undisclosed Communist fronts. And apparently you have been called because of your sponsorship of the Los Angeles Committee for Protection of Foreign Born.

We have ample evidence here, yesterday and today, that that committee is certainly infiltrated by many identified Communists with whom you apparently are associated.

(The witness confers with his counsel.)

Mr. VELDE. Infiltrated and dominated.

Mr. DOYLE. My own conclusion is that the Committee To Protect the Foreign Born allegedly is fairly well dominated by the Communist conspiracy in this area.

Reverend FRITCHMAN. Mr. Chairman, in the statement which I have turned in and I have indicated that the concern of many of us in the clergy—Bishop Mitchell and my fellow Unitarians and many others concerned for the Walter-McCarran Act and the foreign born—is above suspicion of having political implications. We are interested in it because of our own conscience and concern. I have stated this in my statement. And I feel I am now being asked a matter of opinion, and I do not think matters of opinion are matters of legislative investigation. So I decline to answer.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the last outstanding question.

Mr. DOYLE. You are allowed to rely on your constitutional privilege if you feel you want to do that.

Reverend FRITCHMAN. I feel I must. It is a matter of opinion.

Mr. DOYLE. And I instruct you, for the record, to answer the question.

Reverend FRITCHMAN. And I so reply.

Mr. ARENS. Now we display to you, please, a photostatic copy of The Torch of the Los Angeles Committee for Protection of Foreign Born, in which a five-point program of action is set forth in a meeting chaired by Rev. Stephen H. Fritchman. This five-point program of action embraces "stop deportations" with reference to the citizenship of Rose Chernin and others, whose citizenship must be saved. Also a report in the developments in the cases of deportation of a number of people and a reference to a number of publications by Communist agent Abner Green and others.

Kindly look at this document and tell us whether or not you chaired that session alluded to in The Torch.

(Document marked "Exhibit No. 538," see appendix, pp. 8055-8057.)

Reverend FRITCHMAN. I decline to identify the exhibit because it apparently has to do with associations in which I have every right as a citizen to involve myself.

Mr. ARENS. You certainly do. And would you tell us now whether or not you did have those associations?

Reverend FRITCHMAN. I decline to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I so direct you, Reverend Fritchman.

Reverend FRITCHMAN. I decline on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Wheeler is going to display to you, a number of documents—if you would kindly just glance at them quickly because I know that time is fleeting—referring to a number of activities by the Los Angeles Committee for Protection of Foreign Born, including the Sixth Annual Southern California Conference to Repeal the McCarran-Walter Act. In each of these you are identified either as a chairman or as a leader in these various activities, including the American Peace Crusade and the like.

Kindly look at those documents and see if any of those, in your judgment, truly and accurately reflect the facts.

Reverend FRITCHMAN. I decline to identify the exhibits for the reasons already stated.

Mr. ARENS. Just one last question now, Reverend Fritchman.

Are you familiar with the very First Psalm?

Blessed is the man that walketh not in the counsel of the ungodly.

(The witness confers with his counsel.)

Mr. DOYLE. Have you any questions, Mr. Velde?

Mr. ARENS. I respectfully suggest that concludes the staff interrogation of this witness.

Mr. VELDE. No questions.

Mr. SCHERER. Are you aware of the fact that on the payroll of the Los Angeles Committee for Protection of Foreign Born there are a number of individuals who are Communists?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I think I must refuse to answer that, Mr. Scherer, on the grounds of the first and fifth amendments.

Mr. SCHERER. Where does the committee get its funds to operate?

Reverend FRITCHMAN. I am refusing to discuss associations I have with any organizations that I feel in good conscience deserve my support and whose purposes I have a deep commitment to for the welfare of the American people. And I do not think the committee has authority to inquire into such free associations.

Mr. SCHERER. You do not think this committee has the right then to determine whether or not this local committee for the protection of foreign born is controlled and dominated by members of the Communist conspiracy? Do you think that is beyond the prerogative of this committee?

Reverend FRITCHMAN. I have——

Mr. SCHERER. Do you say that sincerely?

Reverend FRITCHMAN. I can sincerely go along with the resolution of the American Unitarian Association calling for the abolition of the committee and its work.

Mr. SCHERER. I am not asking for the resolution.

Reverend FRITCHMAN. I am giving the broader answer, an inclusive answer.

Mr. SCHERER. It is broad, but do you sincerely believe it is beyond the scope of this committee's activities to determine whether or not a local committee for the protection of foreign born is infiltrated, dominated, and controlled by members of the Communist conspiracy?

Reverend FRITCHMAN. I do not feel it is the authority of this committee to inquire into the associations of men and women for their political opinions or activities so long as they are within the law.

Mr. SCHERER. Do you consider then membership in the Communist conspiracy as a political activity?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I think it is a matter of opinion, sir. And I do not wish at this—

Mr. SCHERER. You advanced it. I didn't ask you.

Mr. KENNY. I suggest the witness be permitted to complete the answer to his question.

Reverend FRITCHMAN. I feel that there are many opportunities, Mr. Scherer, to discuss the kind of question you have asked. And I would most sincerely invite you to come to my church and speak and discuss this question and others with us. I am interested in discussing it. But I feel this is a highly prejudicial place to discuss opinions.

Mr. SCHERER. But you won't be under oath in such a discussion.

Reverend FRITCHMAN. I do not give different answers under oath, sir, than when I am not under oath.

Mr. ARENS. You said that you would invite him to your church. What do you mean by your church? Is that a church in which you are employed or of which you are a member or what is that church?

(The witness confers with his counsel.)

Reverend FRITCHMAN. I have with me, Mr. Arens, my answers to that question 5 years ago when I appeared before this committee, and I would respectfully call your attention to the answers about the church.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Reverend FRITCHMAN. You may read them there. At your own expense they were published.

Mr. ARENS. He has declined in his opening statement to identify his occupation. Then he turns around and invites one of the members of this committee to his church. It is a perfectly legitimate question. He has opened the door.

Mr. SCHERER. I will make a deal with you. If you will tell us whether you are or ever have been a member of the Communist Party without invoking the fifth amendment I will come to your church.

Reverend FRITCHMAN. I don't have to—I don't have to violate my conscience in the matter of answering questions, I hope, sir, to get an audience at a church. It would be a bad day. You are most welcome to come.

Mr. DOYLE. Reverend Fritchman, may I make this brief statement to you because your statement, prepared for release to this committee, which I read carefully, sounds almost entirely in the field of representation by you that your objection to the committee is made because you feel that the committee is looking into the rights

of people to influence public opinion on congressional matters. That is your own statement as I read it.

And you further limit your statement to the subject matter of the Walter-McCarran bill. You don't treat in your statement of the anti-Communist sections of the Walter-McCarran bill, nor of any other bill that we have been dealing with the last 2 days.

Of course, this hearing has not been limited to the Walter-McCarran bill. Not by a long shot. This hearing has been limited, I believe, to the field of the security measures of any Federal statutes. And we in Congress believe—and I am sure you will agree with me—that if we are lobbied by anyone, any alleged group or organization, in the field of legislation for or against it, that we are entitled to know by whom we are being lobbied.

And we have discovered here again today and yesterday that when we are hereafter lobbied by the Committee for the Protection of Foreign Born we can take notice—and I believe I am stating the fact—that the Los Angeles Committee for Protection of Foreign Born when it lobbies us, if it does, on any legislation in the future, until they change pretty much those in control, we will be lobbied under the control and direction of identified Communists.

I make that statement very frankly to you because you have been a longtime sponsor of the Los Angeles Committee for Protection of Foreign Born.

Reverend FRITCHMAN. Mr. Chairman——

Mr. DOYLE. And so that is the area in which we have been investigating.

And it is not to differ with you because you have a different opinion than us, nor is it to make it more difficult for people to express their opinions to Congress. But it is that we have a right as American Congressmen to know whom we are dealing with. And I would feel very, very uncomfortable always, and I shall certainly feel more uncomfortable now, to know that in my own home county this local committee for the protection of foreign born, and other groups that I am learning about are evidently controlled by the Communist conspiracy.

Reverend FRITCHMAN. Mr. Chairman, I wish very much, since you hold those sentiments—and those of us who are interested in this question of the Walter-McCarran Act—that you would have invited Bishop Mitchell to come and discuss this. I wish you and he and I could have a good open forum of it up at the church and discuss this because it is a matter of concern. I respectfully listened to what you said and I think there is a matter of real discussion here.

Mr. DOYLE. Reverend Fritchman, may I make this one brief statement, and then let's call it quits.

I have been on this committee several years, and I have practiced law in California 30 years before I first went to Congress. And my views, so far as the Communist conspiracy is concerned, are pretty well affirmed. And to me there is no equivocation in that field.

Reverend FRITCHMAN. I am not foreign born.

Mr. DOYLE. That is all right.

There is room for amendment, there is room for consideration of all legislation, you see.

But in the field of the Communist conspiracy, as evidenced in Hungary in the last 2 weeks with those innocent people being butchered

by the Communists from Soviet Russia, I have no equivocation. I can't change my ground. And I am absolutely opposed to being submitted to secret, undisclosed agitation or efforts by Communists undisclosed through Communist fronts, to influence legislation.

I want to know with whom I am dealing. And I believe I am entitled to know.

Reverend FRITCHMAN. I appreciate your views.

Mr. DOYLE. I believe you know I am entitled to know.

Reverend FRITCHMAN. Of course. And I hope what you said about concern for revising the Walter-McCarran Act will be on record, too.

Mr. DOYLE. Of course.

Reverend FRITCHMAN. Because that is the issue that brought me here.

Mr. DOYLE. Our minds are always open. I think your distinguished counsel knows my mind is always open on those things.

Is there any other question?

Mr. ARENS. No, thank you, Mr. Chairman.

Mr. DOYLE. Just one statement.

The committee finds it necessary to meet tomorrow. We will meet at 10 a. m. in this room. We hope to finish tomorrow.

The committee stands in recess. Those persons under subpoena who have not been called, return here tomorrow morning at 10.

(Whereupon, at 5:40 p. m., Friday, December 7, the committee was recessed, to be reconvened at 10 a. m., Saturday, December 8, 1956.)

COMMUNIST POLITICAL SUBVERSION

SATURDAY, DECEMBER 8, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.
PUBLIC HEARING

The subcommittee met, pursuant to recess, at 10:05 a. m., in room 514, the Federal Building, Los Angeles, Calif., Honorable Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman of the subcommittee), Harold H. Velde, and Gordon H. Scherer.

Staff members present: Richard Arens, director; William A. Wheeler and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. DOYLE. The subcommittee will come to order.

All members of the subcommittee are present.

Remember the building regulations. No smoking in this room.

I am just going to say that I expect that every person in the room will practice the practice of American citizens and extend every courtesy to the committee and the witnesses.

I think I said enough yesterday about any violation of the rules. We do not want nor expect nor will we tolerate any demonstration of either approval or disapproval. I think that is fair. And I will instruct the marshal again, without further direction, if there is any person in the room who thinks it is smart to violate that reasonable request, to immediately eject him. This is no place for smart alecks.

Are you ready, Mr. Arens?

Mr. ARENS. Yes, sir.

Rose Chernin Kusnitz, kindly come forward.

TESTIMONY OF MRS. ROSE CHERNIN KUSNITZ, ACCOMPANIED BY COUNSEL, A. L. WIRIN AND JOHN W. PORTER—Resumed

Mr. DOYLE. Mrs. Chernin, I think you were sworn yesterday.

Mrs. KUSNITZ. Yes, I was.

Mr. WIRIN. I appreciate the committee's letting me sit here this morning.

Mr. DOYLE. We are glad to have you back.

Mr. ARENS. Mrs. Chernin, so that this record may be clear, you were sworn yesterday?

Mrs. KUSNITZ. Yes, I was.

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Mr. ARENS. And you are today again represented by counsel?

Mrs. KUSNITZ. That I don't know. Counsel is here.

Mr. ARENS. You today have counsel seated with you?

Mrs. KUSNITZ. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. WIRIN. My name is A. L. Wirin. I understand from the chairman that I may continue to represent Mrs. Kusnitz.

Mr. DOYLE. That is correct.

Mr. ARENS. Do you have associate counsel?

Mr. WIRIN. Yes.

Mr. PORTER. John W. Porter.

Mr. ARENS. Mrs. Chernin, there is some confusion in my mind at the moment with reference to your name. We have on the subpoena which was served upon you Rose Chernin Kusnitz, K-u-s-n-i-t-z. And we have been calling you in the previous interrogation Mrs. Chernin. Can you help us on that?

(The witness confers with her counsel.)

Mrs. KUSNITZ. My name—my name is Rose Chernin Kusnitz. My maiden name is Chernin. My married name is Kusnitz. I hyphenate it and use either one.

Mr. ARENS. There may be some duplications in questions, Mrs. Kusnitz, because I am not too clear in my mind just how much ground we covered yesterday. And, rather than to omit certain important elements, we would rather go back over some of the ground so that we can be certain that we are not omitting something of importance.

Mr. Wheeler is now going to display to you a number of checks which are signed "Rose Chernin" on the check form of the Los Angeles Committee for Protection of Foreign Born and which are endorsed "Rose Chernin, Los Angeles Committee for Protection of Foreign Born."

Kindly look at these checks as he displays them to you and tell us, if you will, please, if you can verify the authenticity of the signatures.

(See exhibit No. 515, appendix, pp. 8008-8017.)

(The witness examines documents and confers with her counsel.)

Mrs. KUSNITZ. I refuse to answer this question on the grounds of the first and fifth amendments.

Mr. ARENS. Now I believe the status of the record, coupling up with what transpired yesterday to what transpired today, Mr. Chairman, has laid a sufficient groundwork that I should like now to request that the subpoena duces tecum which was served upon this lady be incorporated in the body of the record and that she now be ordered and directed to produce the records which are specified in the subpoena duces tecum.

Mr. DOYLE. It will be so ordered. The subpoena will be included in the record, and you are directed, Witness, to produce each and all of the documents specified in that subpoena duces tecum which was served upon you.

(See exhibit No. 517a, b, appendix, pp. 8019, 8020.)

(The witness confers with her counsel.)

Mrs. KUSNITZ. I stand on my record—

(The witness confers with her counsel.)

Mrs. KUSNITZ. I stand on my statement that I made yesterday in relation to the last question.

Mr. ARENS. Would you be good enough, so this record is clear, to give us the essence at least of the answer which you gave yesterday? You understand what we are trying to do is to try to rebuild the foundation here as we did yesterday for the question which was just submitted to you.

(The witness confers with her counsel.)

Mrs. KUSNITZ. Mr. Chairman, may I refer to this memorandum?

Mr. DOYLE. That is the same memorandum you referred to yesterday?

Mrs. KUSNITZ. Yes, it is. Yesterday, from my memorandum, I stated as follows:

That I have brought no records and documents because it is my sincere belief that this committee has no right to compel any person to produce before it records relating to efforts to repeal or influence the revision of any legislation, including the McCarran-Walter law.

It is further my opinion that for the committee to demand such records violates the first amendment to the Constitution. And it is my feeling that if I were to comply I would be contributing to that violation, something I am unwilling to do as an American.

I am also advised by counsel that the subpoena is so broad and so vague as to constitute a violation of the fourth amendment.

(The witness confers with her counsel.)

Mrs. KUSNITZ. In the third place, it is my opinion further that this committee has no lawful authority to exist or to issue subpoenas of any kind. But, even if it had that authority, I think it overstepped this authority in my subpoena. And I assert my right under the fifth amendment not to be a witness against myself.

Finally, I invoke every right granted me under the Constitution to express my belief, that I consider it an outrage for this committee to use its powers to prevent Americans from seeking to influence public opinion for the revision and the repeal of any legislation, especially the racist Walter-McCarran law. I regret very sincerely that Mr. Walter is not here so I could address him personally.

Mr. SCHERER. Are you a citizen?

Mrs. KUSNITZ. Yes, I am.

Mr. SCHERER. You were convicted for advocating the overthrow of this Government by force and violence, were you not?

Mrs. KUSNITZ. My case, as well as others, is presently pending before the Supreme Court which is going to consider the constitutionality of the statute under which I was convicted.¹

Mr. SCHERER. You were convicted, however, by a jury in this community, were you not?

(The witness confers with her counsel.)

Mrs. KUSNITZ. I have already answered this question to the best of my ability.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. KUSNITZ. The answer to this question is a matter of public record. Yes, I have been convicted by a jury. But you know that American——

(The witness confers with her counsel.)

¹ Mrs. Kusnitz' conviction was reversed and her acquittal ordered by the Supreme Court; *Yates et al. v. United States*, 353 U. S. —, 25 U. S. Law Week 4475 (June 17, 1957).

Mrs. KUSNITZ. Justice allows for appeal. And presently, as I stated before, my case is before the Supreme Court. And, if you want my opinion, I believe that the last word has not been heard as to the statute as well as my case. I am confident that—I have confidence in that I will be exonerated.

Mr. SCHERER. And you are also under an order of deportation from this country, are you not?

(The witness confers with her counsel.)

Mr. SCHERER. For your Communist activities. Order of deportation?

Mrs. KUSNITZ. No; that is not true.

Mr. SCHERER. Well, you should be if you are not. I am going to ask the Department of Justice why.

(The witness confers with her counsel.)

Mr. WIRIN. That ought to be stricken from the record, Mr. Chairman.

Mr. SCHERER. Oh, no.

Mrs. KUSNITZ. Mr. Chairman, I also think that, in fairness, this should be stricken from the record.

Mr. DOYLE. We will consider it.

Mr. SCHERER. Where were you born?

(The witness confers with her counsel.)

Mr. SCHERER. Where were you born?

Mrs. KUSNITZ. I decline to answer this question because I don't see the pertinence to it, and on the further grounds of the first and fifth amendments.

Mr. SCHERER. You were born in Russia, were you not?

Mrs. KUSNITZ. The same answer.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you, Witness, to answer the question as to where you were born.

Mrs. KUSNITZ. I refuse for the reasons stated before.

Mr. ARENS. Mrs. Kusnitz, Mr. Wheeler is going to display to you three documents. First is a brief history of the Los Angeles Committee for Protection of Foreign Born. The second is a document bearing the identification of the Los Angeles Committee for Protection of Foreign Born at a conference in 1953 outlining a proposed program of action for repeal of the Walter-McCarran law. The third is a photostatic copy of a document addressed to yourself—"Dear Rose"—from Abner Green, executive secretary of the American Committee for the Protection of Foreign Born. Would you kindly look at each of these three documents and tell this committee if you would be good enough to verify their authenticity.

(See exhibit Nos. 27, 426, and 512, appendix, pp. 7128, 7849-7851, and 8001-8005.)

(The witness examines documents and confers with her counsel.)

Mrs. KUSNITZ. I refuse to answer this question on the same grounds as previously stated.

Mr. ARENS. Mr. Wheeler is going to display to you a program of action of the Los Angeles committee in which the recipient of the document is urged to go to various newspapers, organizations, and all public meetings to circulate petitions for which mass meetings are called, in which post cards and wires, public-opinion polls, local

coalitions with nonliberal organizations are urged, and in which a form of a letter is prepared in which the names of various Senators and Congressmen are listed—an action program, all for the repeal of the Walter-McCarran Act.

Kindly look at those documents and tell this committee, if you please, while you are under oath, if those documents fairly and correctly represent documents prepared and circulated by the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 539a-d, see appendix, pp. 8058-8062.)

(The witness examines documents.)

Mrs. KUSNITZ. The same answer; the same reason.

Mr. SCHERER. Witness, would you also tell the committee what part you and other Communists had in the preparation of those documents just shown to you by counsel for the committee?

(The witness confers with her counsel.)

Mrs. KUSNITZ. I refuse to answer this question on the grounds of the first and fifth amendments, especially the fifth, where I am not called upon to be a witness against myself.

Mr. ARENS. Mr. Wheeler is going to display to you another letter-head: "Trade Union Committee for Repeal of the Walter-McCarran Law in California, 326 West Third Street." The letter thereon is signed by Roy Landt, L-u-n-d-t, chairman of that committee.

I ask you while you are under oath if you will kindly tell the Committee on Un-American Activities if it is not a fact that this trade-union committee was created by the Communist Party, and does it not have the same address as the Los Angeles Committee for Protection of Foreign Born?

(Document marked "Exhibit No. 540," see appendix, p. 8063.)

(The witness examines document.)

Mrs. KUSNITZ. The same answer.

Mr. ARENS. Mr. Wheeler is going to display to you a document calling for a fund drive and, according to this document, \$25,000 is needed very promptly in a drive which is all to culminate in a festival of nationalities. And, according to the document, it is all under the auspices of the Los Angeles Committee for Protection of Foreign Born.

Kindly look at that document and see if you will be good enough to verify its authenticity.

(Document marked "Exhibit No. 541a, b," see appendix, pp. 8064, 8065.)

(The witness examines documents.)

Mrs. KUSNITZ. The same answer.

Mr. ARENS. Mr. Wheeler is going to display to you some checks showing payments made by the Los Angeles Committee for Protection of Foreign Born to a number of organizations, including the Peninsula Press and similar establishments, the Communist Daily People's World, and to various persons who have been identified as Communists. Kindly look at these checks and see if you would be good enough to verify their authenticity.

(See exhibit No. 515, appendix, pp. 8008-8017.)

(The witness examines documents and confers with her counsel.)

Mrs. KUSNITZ. Same answer.

Mr. ARENS. I have just 1 other series of exhibits; just 3 exhibits. One is a reproduction of Rose Chernin's report to the fifth annual con-

ference in 1955 of the Los Angeles Committee for Protection of Foreign Born. The second is a speech given by Abner Green at its 1956 conference. And the third is a report of Rose Chernin, executive director of the Los Angeles Committee for Protection of Foreign Born, with respect to the activities of that organization. Kindly look at these three documents, if you please, while you are under oath, and tell this committee if you would be good enough to verify their authenticity.

(Document marked "Exhibit No. 542," see appendix, pp. 8066-8070; see also exhibits Nos. 102c and 512, appendix, pp. 7274 and 8001.)

(The witness examines documents.)

Mrs. KUSNITZ. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Velde, any questions?

Mr. VELDE. No questions.

Mr. SCHERER. No questions.

Mr. DOYLE. May I ask for my information before I question briefly; may I be informed: Wasn't the name of Anne Perpich mentioned? Wasn't she a witness yesterday?

Mr. ARENS. Yes, sir.

Mr. DOYLE. What was her last name?

Mr. WHEELER. McTernan.

Mr. DOYLE. Even though it is a public record, I do not ask you this question to embarrass you in any way, but when was that jury trial which you have stated is public record. Can you tell me approximately? Was it in 1953 or 1954 or 1956?

Mr. WIRIN. May I tell you? May I answer that?

Mr. DOYLE. Yes; tell me.

Mr. WIRIN. It was in 1953. Certiorari was granted by the Supreme Court last year. And I represented Mrs. Kusnitz before the Supreme Court on October 8, arguing the case.

Mr. DOYLE. Then the trial was in 1953?

Mr. WIRIN. Yes, sir.

Mr. DOYLE. In this building?

Mr. WIRIN. In this very building.

Mr. DOYLE. Now may I ask this: At any time, Mrs. Chernin, after you were convicted in that case were you suspended or did you resign as executive secretary of the Los Angeles Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mr. DOYLE. Do you understand my question?

Mrs. KUSNITZ. I understand your question, but, Mr. Doyle, I will have to decline to answer that question on the grounds of the first and fifth amendments to the Constitution.

Mr. DOYLE. You understand my question?

Mrs. KUSNITZ. I certainly do.

Mr. DOYLE. After you were convicted under the Smith Act did you continue, did the committee allow you to continue to be executive secretary of the Los Angeles Committee of the Foreign Born? That is my question. You were not suspended? Or you didn't resign?

Mrs. KUSNITZ. I understand your question.

Mr. DOYLE. Pending this appeal?

Mrs. KUSNITZ. I understand your question, and the answer is as previously stated.

Mr. DOYLE. That is quite shocking to me, I am frank to say, because these checks show that this year, right now, 2 months ago, you are signing checks of substantial amounts for the Los Angeles Committee for Protection of Foreign Born. And the other person who signs those checks is the young lady, Anne Perpich McTernan, who testified yesterday here.

You two are the people that sign the checks on the funds of the Los Angeles Committee for Protection of Foreign Born according to these exhibits. It is quite shocking to me that a committee—well, perhaps I have said enough. But I am quite shocked to say the least.

Mr. SCHERER. Quite shocked that committee would have—I will say it for you—quite shocked that the Committee for Protection of Foreign Born would have convicted Communists sign checks. I have no hesitancy.

Mr. WIRIN. Her case is on appeal undecided, Mr. Chairman.

Mr. DOYLE. I understand that, Mr. Wirin. But it seems to me that at least the respect for the faith of the public that a committee of that kind, going out into the unsuspecting public and raising funds for the protection of the foreign born, ought at least to have the ethical attitude toward the people who donate those funds for the protection of the foreign born not to continue on their payroll in control of their bank account a convicted Communist although her case is on appeal.

Mr. SCHERER. Whether she has been convicted or not, Mr. Chairman, she is still a Communist. There is no question about that.

Mr. DOYLE. Unless it is reversed.

Mr. SCHERER. You can't reverse the fact that she is a Communist. They might reverse the fact she had advocated the overthrow of the Government under the Smith Act.

Mr. WIRIN. Are we through, gentlemen?

Mr. DOYLE. Just a minute, Mr. Wirin.

Mr. SCHERER. Checks signed by Communists to Communists. That is all you see in these checks in connection with this committee of the foreign born here.

Mr. DOYLE. Most of them are salary checks to themselves.

Mr. SCHERER. That is right.

Mr. WIRIN. Is this a debate between the committee or are you asking questions?

Mr. DOYLE. I am reading from the record of these checks.

(The witness confers with her counsel.)

Mr. DOYLE. I want the record to show the amounts of these checks and where they go to.

Mr. SCHERER. I would like to know who is supplying the funds to provide for this little merry-go-round.

(The witness confers with her counsel.)

Mr. DOYLE. Here is one to Rose—

Mr. SCHERER. She has been identified. Go ahead and read it. There are a number of them to Rose Chernin.

Mr. DOYLE. No, it isn't here.

These checks are \$398, \$725, \$273, and \$235.

(The witness confers with her counsel.)

Mr. DOYLE. But all signed—

Mr. SCHERER. Some Rose Chernin to Rose Chernin.

Mr. DOYLE. Of course, I have to presume that anyone who is a sponsor of the Los Angeles Committee for Protection of Foreign Born, like the distinguished preacher that was here yesterday—

Mr. SCHERER. He knows what is going on.

Mr. DOYLE. Has no knowledge of the fact that a convicted Communist is signing the bank account of the committee for which he and the others are sponsors.

Mr. SCHERER. He himself took the fifth amendment.

Mr. DOYLE. I don't think it is ethical conduct to the American public from whom money is being solicited. That is, of course, the habit of Communists to not disclose their identity.

Mr. ARENS. Mr. Chairman, I forgot to pose one question to this witness.

Mr. DOYLE. Go ahead.

Mr. ARENS. Are you registered with the United States Congress under the Lobbying Act?

(The witness confers with her counsel.)

Mrs. KUSNITZ. I don't think this question is pertinent, but I will refuse to answer it on the grounds of the—under the first and fifth amendments.

Mr. SCHERER. Who is Rose Rosenberg to whom you gave a check for \$398.44?

Mrs. KUSNITZ. I refuse to answer this question on the same grounds.

Mr. SCHERER. What was the amount given to her for? What is it for?

Mrs. KUSNITZ. I refuse to answer; the same grounds.

Mr. DOYLE. Now while Mr. Scherer is looking at those checks for a minute, may I have the record show apropos of what I stated to Reverend Fritchman yesterday, one of the sponsors of this Los Angeles Committee for Protection of Foreign Born, in my extemporaneous statement to him was that here is a concrete case where Congress is lobbied by the Los Angeles Committee for Protection of Foreign Born—a case where the lobbying that comes to us on anti-Communist legislation in the name of the Los Angeles Committee for Protection of Foreign Born, the funds and policy of which are absolutely controlled and dominated by some convicted Communists and others not yet convicted.

That I believe the record shows, as a result of these hearings.

Mr. SCHERER. There is no question about it.

Mr. DOYLE. That is what we are getting at in these hearings.

We believe your American Congress is entitled to know who is lobbying Congress.

Mr. SCHERER. And the people who contribute funds to these front organization, not only to the Committee for Protection of Foreign Born but to these front organizations set up by the Committee for Production of Foreign Born. The people who contribute to them, who join them unwittingly, have a right to know where their funds are going, who actually controls that committee and who actually sets it up.

(The witness confers with her counsel.)

Mr. WIAN. Could we be excused now while you engage in this discussion? You are not asking any questions.

Mr. ARENS. Now, counsel, you were forcibly ejected yesterday. We hope we haven't set a precedent whereby you will have to be forcibly ejected today.

Mr. WIRIN. I won't reply.

Mr. DOYLE. I would suggest this: I realize we are not asking questions at this second, but the purpose of this sort of a discussion by members of the committee, Mr. Wirin, is manifestly so our colleagues in Congress, when they read this report, will get the benefit of our present thinking and opinions based upon the evidence here.

In other words, we are deliberately giving our colleagues, Mr. Wirin, back in Washington, no matter what State they come from—our present thinking right here in the hearing room so that all Members of Congress will have the benefit of our present thinking. That is our habit. That is our practice. And you are entitled to know that is what we are doing.

Now one thing more.

I want to go this far, and I have not discussed this with my colleagues here.

The Communist Party, under legal procedures, is entitled to lobby Congress just the same as any other group.

Let's make it clear. We don't object to anyone lobbying Congress providing they disclose their true identity. That is the right of American citizens, no matter who they are, and we uphold that right.

Mr. SCHERER. Communists should lobby as Communists.

Mr. DOYLE. Certainly.

Mr. SCHERER. And not pretend to be something else.

Mr. DOYLE. And I have frequently said I will fight for the right of even a Communist to speak what he wishes and preach what he wishes to preach and pray the way he wants and write the way he wants provided he does it within the four corners of the Constitution.

Mr. WIRIN. May I—

Mr. DOYLE. No, Mr. Wirin, please.

But here is a concrete case where in the next Congress, beginning January, we would have been flooded with petitions and what not from the Los Angeles Committee of the Foreign Born against these four security statutes had it not been disclosed here that it is controlled and financed and its bank accounts are controlled by convicted and known Communists. That is what we are learning here in these hearings.

Mr. SCHERER. Not only will we be lobbied and flooded with literature from the Committee for Protection of Foreign Born but we will be flooded by how many? One hundred eighty front organizations which have already been set up?

Mr. ARENS. This record reflects, Mr. Chairman, to the certain knowledge of this committee, from this series of hearings, 180 organizations created by the Communist conspiracy in America solely and exclusively to destroy the security provisions of the Walter-McCarran Act. In addition to that, countless organizations have been created for the purpose of destroying other security laws.

Mr. PORTER. May I ask a question, Mr. Chairman.

Mr. DOYLE. Let's go ahead, please.

Mr. PORTER. Mr. Chairman, may I ask a question?

Mr. ARENS. I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. I will recognize you. What is your question?

Mr. PORTER. I wanted to ask whether it is the view of the committee that it is unwilling or fearful of considering legislation on its merits.

Mr. DOYLE. No, now you know that is not a fair question. You know we consider legislation on its merits. But we want to know who is petitioning us on the merits.

Mr. PORTER. Why? Aren't the merits enough?

Mr. ARENS. You make your speech tonight to the Los Angeles Committee for Protection of Foreign Born. If you want to testify before this committee, submit yourself to an oath.

Mr. DOYLE. The Communist Party is known as a subversive group, dominated by subversives, dominated by those who are in opposition to our constitutional form of government, and dominated by the Soviet Communist Party. We recognize legislation on its merits, but we also expect patriotic Americans who present arguments on the merits to disclose their true identities—whether or not they are agents of the Soviet Union. That is what your American Communists are not doing.

And yesterday and the day before I didn't hear a single word from a Communist in that chair who objected to the butchering by the Soviet Communists of those Hungarians. Not one of them. And we gave every Communist in that chair a chance.

(The witness confers with her counsel.)

Mr. DOYLE. A chance to protest the butchering of those Hungarians by the Soviet Union. And not one of them took the chance. They took the fifth amendment.

Mrs. KUSNITZ. Mr. Chairman—

Mr. DOYLE. That made a lasting impression on me I won't forget.

Mrs. KUSNITZ. Mr. Chairman—

Mr. DOYLE. We didn't hesitate to speak out against the butchering of those Hungarians, but the Communists didn't take the chance I gave them and counsel gave them to speak out against it.

Proceed, please.

Mr. WIRIN. She wants to make a statement about Hungarian Communists. Do you want to hear it?

Mrs. KUSNITZ. Mr. Chairman—

Mr. SCHERER. She has refused to answer. She has refused to answer every other question of this committee, and taken the fifth amendment. She has refused to produce the records.

I am not going to listen to a speech. I ask that the witness be excused.

Mr. VELDE. I am going to protest as we did yesterday any further statements by counsel.

Mr. DOYLE. That is right. This witness has refused to recognize the subpoena of the United States Congress to produce the documents.

Mr. SCHERER. I am not going to listen to any speech. She hasn't answered one question.

Mr. DOYLE. She is clearly in contempt.

Mr. SCHERER. Oh, yes. We'll take care of that.

Mr. DOYLE. We want the record to show right here that we recognize she is in contempt. We will take steps accordingly.

Mr. SCHERER. The next witness.

Mr. ARENS. The next witness, if you please, will be Marguerite Robinson.

Mrs. KUSNITZ. Mr. Chairman——

Mr. DOYLE. You have been excused.

Mr. ARENS. Marguerite Robinson, kindly come forward.

Mr. WIRIN. Don't you want to hear it?

Mr. ARENS. You make your speech tonight, too, to the Los Angeles Committee for Protection of Foreign Born.

Mr. WIRIN. What did you say? I didn't hear you.

Mr. ARENS. Marguerite Robinson, kindly come forward.

Mr. DOYLE. Will you please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. ROBINSON. Yes.

**TESTIMONY OF MRS. MARGUERITE ROBINSON, ACCOMPANIED
BY COUNSEL, DANIEL G. MARSHALL**

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. ROBINSON. My name is Marguerite Robinson, Los Angeles, office worker.

Mr. ARENS. Would you kindly repeat your answer?

Mrs. ROBINSON. Marguerite Robinson, Los Angeles, office worker.

Mr. ARENS. Your residence, please.

(The witness confers with her counsel.)

Mrs. ROBINSON. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer. That is a reasonable question.

Mrs. ROBINSON. Mr. Chairman——

(The witness confers with her counsel.)

Mrs. ROBINSON. Mr. Chairman, you know and I know that, unfortunately, in Los Angeles, notwithstanding the Constitution, I am not as a Negro absolutely free to live where I choose without difficulty or without sometimes violence. For that reason I should like to decline to answer this question under the first and fifth amendments.

Mr. DOYLE. Unfortunately, this committee, from Washington, finds it necessary to return to Los Angeles to investigate and expose the actions of the Communist Party controlling lobby groups in Congress against the antisubversive bills. We do not want to embarrass anyone, but we want the facts and we want the truth. We want to know with whom we are dealing when they petition the Congress.

(The witness confers with her counsel.)

Mrs. ROBINSON. I refuse to answer this question by using my rights under the first and fifth amendments.

Mr. ARENS. Does the record reflect a direction by the chairman?

Mr. DOYLE. Yes; it does.

Mr. ARENS. Now your occupation?

(The witness confers with her counsel.)

Mrs. ROBINSON. I am an office worker.

Mr. ARENS. Where?

(The witness confers with her counsel.)

Mrs. ROBINSON. I decline to answer under my rights under the first and fifth amendments.

Mr. DOYLE. I instruct you to answer.

Mrs. ROBINSON. I decline on the same grounds.

Mr. ARENS. I want to be sure of your name here as part of your identity. You have responded to the name Marguerite Robinson. Is that your married name and/or maiden name?

(The witness confers with her counsel.)

Mrs. ROBINSON. I decline to answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question. We are entitled to know your identity, know who you are.

(The witness confers with her counsel.)

Mrs. ROBINSON. I decline for the same reason.

Mr. ARENS. Our records reflect Marguerite Robinson Gibson. Can you help us on that?

Mrs. ROBINSON. I decline on the same grounds.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer the question, Mrs. Robinson.

Mrs. ROBINSON. I decline to answer.

(The witness confers with her counsel.)

Mr. ARENS. Is it Miss or Mrs. Robinson?

Mrs. ROBINSON. I decline on the same grounds.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct you to answer that question.

Mrs. ROBINSON. I decline on the same grounds.

Mr. ARENS. Then, Miss or Mrs. Robinson, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. ROBINSON. I am not here voluntarily. The answer is "Yes."

Mr. ARENS. And you are represented by counsel?

Mrs. ROBINSON. Yes; I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. MARSHALL. Daniel G. Marshall, Los Angeles.

Mr. ARENS. Witness, do you know a person by the name of Anita Schneider?

Mrs. ROBINSON. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Anita Schneider, in the course of these hearings, testified under oath that while she was an undercover agent for the Federal Bureau of Investigation she knew you as a Communist. Was she lying or was she telling the truth?

Mrs. ROBINSON. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Wheeler, of our staff, is going to display to you a number of exhibits. We would take the time to interrogate you at length with reference to each one, but we have considerable subject matter to cover and our time is limited.

These exhibits are from the Daily People's World, in which you are identified as executive director of the Civil Rights Congress.

Kindly look at these exhibits, if you please, and see if you will not serve your Government by verifying the authenticity of the designation.

(Document marked "Exhibit Nos. 543a-e," see appendix, pp. 8071-8075.)

(Documents handed to counsel for the witness.)

Mr. ARENS. I want the record to reflect that I should have said the Los Angeles chapter of the Civil Rights Congress.

Mr. MARSHALL. May I address the chairman?

Mr. DOYLE. Through your witness, Mr. Marshall.

Mr. MARSHALL. I can't address the chair through my witness in the matter I want to take up.

Mr. DOYLE. You know what the rule of the committee is, Mr. Marshall.

Mr. ARENS. Will you kindly answer the question.

(The witness confers with her counsel.)

Mrs. ROBINSON. My counsel advises me that he won't be able to advise me as to how to answer this question until he has had an opportunity to read the documents.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question. The documents have been displayed to her. The documents consist, as is quite evident, of a series of articles in Communist publications, with her photograph, with reference to a number of meetings, conferences, under the auspices of the Los Angeles branch of the Civil Rights Congress, in which she is identified as the executive director.

She can look at those in the course of 30 seconds and either affirm or deny the authenticity of those documents.

Mr. DOYLE. I direct you, Mrs. Robinson, to answer the question.

Mrs. ROBINSON. My lawyer says in order to advise me properly he has to read the documents. It would take him about an hour to do this.

Mr. DOYLE. Would you please take the documents and look at them yourself for a minute.

Mr. ARENS. I believe the record reflects that direction, Mr. Chairman: does it not? She has been ordered and directed to answer the question. In view of the fact she will not answer the question, I respectfully suggest we proceed to another question.

Mr. SCHERER. Let the record show before you proceed: she has not even looked at the documents, and has refused to look at the documents.

(The witness confers with her counsel.)

Mr. ARENS. Mr. Wheeler is going to display to you now a signature card for the Los Angeles Committee for Protection of Foreign Born. This signature card shows that the account of the Los Angeles Committee for Protection of Foreign Born, on the date given, was formerly the account of the Civil Rights Congress of Los Angeles.

Kindly look at this signature card and tell this committee whether or not the Civil Rights Congress was the predecessor organization to the account of the Los Angeles Committee for Protection of Foreign Born at the California Bank in Los Angeles, Calif.

(Document marked "Exhibit No. 544a," retained in committee files.)

(Document handed to counsel for the witness.)

Mr. MARSHALL. Mr. Chairman, I wish to address the committee with respect to the batch of documents which has just been removed from the witness table by Mr. Wheeler.

Mr. DOYLE. Mr. Marshall, you know the rules of the committee.

Mr. MARSHALL. May I address the committee in writing?

Mr. DOYLE. I am directing the witness to answer the question. Take all the time you want to advise your client, Mr. Marshall, but—

Mr. MARSHALL. That is what I wanted to do with those exhibits.

Mr. ARENS. Would you kindly answer the question, Witness, please?

(The witness confers with her counsel.)

Mrs. ROBINSON. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(The witness confers with her counsel.)

Mrs. ROBINSON. I again decline on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WHEELER. That is the staff interrogation, Mr. Marshall.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when the witness, who has just left the witness stand, Marguerite Robinson, who is also identified in our record as Marguerite Robinson Gibson, signs a voucher, that that part of the voucher bearing her signature be incorporated in the body of the record.

(Document marked "Exhibit No. 544b," see appendix, p. 8076.)

Mr. DOYLE. So ordered.

Referring to this bank account, Counsel, the committee are looking at it. Apropos of your statement that the face of the card shows that this account in the name of the Los Angeles Committee for Protection of Foreign Born shows on the face of the card "Formerly with Civil Rights Congress, November 6, 1950" but also is typed across the face of the card "Superseded by card dated 2-15-51," it would appear that the moneys from the Civil Rights Congress, if there were any at that date, were transferred in 1951 to this account in the name of the Los Angeles Committee for Protection of Foreign Born. So apparently there is another group that is—

Mr. ARENS. The record on a preceding witness, Mr. Chairman, reflects the subsequent developments. We used those with a previous witness.

Mr. DOYLE. I see.

Mr. ARENS. This witness was here for the purpose of establishing the background of the Los Angeles Committee for Protection of Foreign Born and its intimate relationship as a successor organization to the Civil Rights Congress.

You recall that Mrs. Schneider testified, or one of the witnesses testified—I believe it was Mrs. Schneider—to the effect that the Los Angeles Committee for Protection of Foreign Born grew out of the Civil Rights Congress here, and indeed at one time was a subcommittee of the Civil Rights Congress. So this card helps establish that fact.

Mr. DOYLE. You are going to show those records. Those records have already been introduced as a part of the record of this committee. In view of my statement to Mrs. Chernin when she was here on the

stand, here is the bank signature card apparently authorizing the signature to the checks which we have referred to and identified by her in 1956 and previous, and she is president. She signed this as president of the Los Angeles Committee for Protection of Foreign Born.

(See exhibit No. 514, appendix, p. 8007.)

Mr. SCHERER. She was promoted after she was convicted.

Mr. DOYLE. That is right. This is on September 15, 1955, she was president of this committee. That is a convenient way to handle money. We might consider whether or not Congress ought to consider legislation as to how far convicted Communists can go before the public and solicit money under disguise. It seems terrible to have the public milked by Communists, convicted and proven Communists in a court of law.

It would seem it ought to be a subject for consideration for legislation. The public apparently needs protection against itself or against the subversive Communists.

Mr. SCHERER. This last one is just a little over a year ago—September 1955.

Mr. ARENS. I would suggest, Mr. Chairman, the possibility also of the committee considering recommendations to have more stringent provisions of the tax laws whereby organizations of this character could not have tax exemption.

I am under the impression, although I am not an expert in the field of tax law, that the general policy is to prohibit tax exemption as an eleemosynary organization to organizations that are purely and clearly Communist controlled.

I would speculate, although I do not know, that this organization here has at least tried to get tax exemption as a charitable organization.

Mr. DOYLE. Let's look into that thoroughly. And certainly any organization that is proved to be Communist controlled or Communist financed should not get any tax exemption in order to spend more money to defeat the constitutional form of government. Why should we give them a tax credit and let them put that money into their treasury to spend it unconstitutionally and illegally?

Mr. ARENS. I would also suggest, Mr. Chairman, the possibility of considering legislation which would preclude tax exemption for successor organizations or organizations dominated by an organization that is principally controlled by the Communist Party, because this record shows that this organization, the Los Angeles Committee for Protection of Foreign Born, has, in turn, created other organizations which have solicited funds and have expended funds.

And we would speculate here, on the basis of extensive experience, that it is highly probable the Los Angeles Committee for Protection of Foreign Born, to protect itself, would probably now dissolve in view of this exposure, and create some new organization, parent organization to take over the funds and activities of the Los Angeles Committee for Protection of Foreign Born and the numerous collateral subsidiary organizations.

Mr. SCHERER. Just before we go on, could I ask our west-coast investigator, Mr. Wheeler—I see some other names that appear on the

signature cards in addition to Rose Chernin, et cetera, Josephine Yanez.

Mr. WHEELER. She testified yesterday.

Mr. SCHERER. That is the one who testified. She has been identified as a Communist.

What about Sylvia Young? Has she testified?

Mr. WHEELER. She was not subpoenaed.

Mr. SCHERER. What about Mary Hyun?

Mr. ARENS. On that point may I say, Mr. Scherer, that our problem in coming to Los Angeles was principally to pick and choose whom we wanted to subpoena because there were so many identified with this and the collateral organizations that, had we done more than scratched the surface, we would have been here for a month in hearings.

Mr. SCHERER. Has Sylvia Young been the subject of any testimony before this committee previously?

Mr. WHEELER. She is a subject of investigation.

Mr. SCHERER. What about Mary Hyun, H-y-u-n? Has she been before this committee?

Mr. WHEELER. No, she has not.

Mr. SCHERER. Delphine Murphy Smith has. She is a Communist.

Mr. WHEELER. She was the first witness.

Mr. SCHERER. Yes. She is a Communist.

Lillian Doran.

Mr. ARENS. Mr. Chairman, may I supplement what I said so that Mr. Scherer—

Mr. SCHERER. I am not critical.

Mr. ARENS. I am certain that the Congressman isn't critical, but I want to make this statement for this record and for the enlightenment of the distinguished Congressman from Ohio.

We have rundowns and information on approximately 150 persons who can be identified as Communists connected with the Los Angeles Committee for Protection of Foreign Born. That one organization.

In addition to that, we know and have seen on this record numerous organizations that are affiliates controlled by the Los Angeles Committee for Protection of Foreign Born.

So I say we had the problem of just picking a sampling here.

Mr. SCHERER. I didn't want any of my questions to indicate that I might have in mind a criticism of the staff because Mr. Wheeler is one of the best in the country, if not the best.

Mr. DOYLE. May I suggest that it would seem to me that if I were a sponsor of the Los Angeles Committee for Protection of Foreign Born, now that this record is revealed showing the bank account in control of convicted or proven Communists, I would get off the sponsorship.

Mr. SCHERER. Unless you were a Communist.

Mr. DOYLE. Well, unless I wanted to help the Communist cause against the internal security of my country.

And I think now, in view of this public record which can't be controverted—here it is—that if I were a member of the Los Angeles Committee for Protection of Foreign Born, I think I would get off. I am dead sure I would get out of that committee.

Mr. SCHERER. Unless you were a Communist.

Mr. DOYLE. Yes, or wanted to help their cause.

And I say that because I have no hesitation in stating that I can make no allowance for any person claiming to be a patriotic American citizen who is doing anything to help the Communist cause directly or indirectly.

Mr. ARENS. Are you ready for the next witness, Mr. Chairman?

Mr. DOYLE. Yes, Mr. Arens.

Mr. ARENS. Irene Terrazas, T-e-r-r-a-z-a-s.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TERRAZAS. I do.

Mr. DOYLE. Thank you.

TESTIMONY OF MRS. IRENE TERRAZAS, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. TERRAZAS. Irene Terrazas. 5303 Telford Street, Los Angeles. Housewife.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. TERRAZAS. Mrs.

Mr. ARENS. You are appearing today, Mrs. Terrazas, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. TERRAZAS. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. TERRAZAS. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mrs. ROSENBERG. Rose S. Rosenberg, b-e-r-g.

Mr. ARENS. Mrs. Terrazas, we are going to display to you a signature card on the California Bank of the Los Angeles Committee for Protection of Foreign Born. This signature card bears your signature, Irene Terrazas, as one of the officials of the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 545a," see appendix, p. 8077.)

Kindly look at this card, if you please, and see if you can be good enough to verify its authenticity.

And while she is looking at it, Mr. Chairman, I respectfully suggest that if, as, and when this witness signs a pay voucher, her signature from that voucher be incorporated in the record, in the body of the record.

(Document marked "Exhibit No. 545b," see appendix, p. 8078.)

Mr. DOYLE. It is so ordered.

(The witness examines documents.)

Mrs. TERRAZAS. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Mrs. Terrazas, are you now a member of the Communist conspiracy?

Mrs. TERRAZAS. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now Mr. Wheeler is going to display to you a reproduction, a photographic reproduction, of a letterhead of the Los Ange-

les Committee for Protection of Foreign Born, bearing your signature as immigration aid director of that organization.

Please look at this exhibit and see if you will be good enough to verify its authenticity.

(Document marked "Exhibit No. 546," see appendix, p. 8079.)

(The witness examines document and confers with her counsel.)

Mrs. TERRAZAS. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now we display to you a document which is a paid advertisement appearing in the Community News Service—"A Program for Defending the Foreign Born. How To Nullify and Repeal the Walter-McCarran Act."

This paid advertisement requests pledges and donations. It also has certain language here in Mexican, the Mexican language—Mexican or Spanish language. It tells about circulating petitions and about a \$20,000 fund drive.

Kindly look at this document and tell this committee if you are the Irene Terrazas who is identified in the document as immigration director of the Los Angeles Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 547," see appendix, p. 8080.)

(The witness examines document and confers with her counsel.)

Mrs. TERRAZAS. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. VELDE. No questions.

Mr. SCHERER. No questions.

Mr. DOYLE. The witness is excused.

Mr. DOYLE. The committee will stand in recess for 5 minutes. (Whereupon, a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle, Velde, and Scherer.)

Mr. DOYLE. The committee will please come to order.

Let the record show that the full membership of the subcommittee is present.

Who is your first witness, Mr. Arens?

Mr. ARENS. Peter Hyun, H-y-u-n.

Mr. DOYLE. Mr. Peter Hyun.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HYUN. I do, sir.

TESTIMONY OF PETER HYUN, ACCOMPANIED BY COUNSEL, JOHN W. PORTER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HYUN. Now?

Mr. ARENS. Yes, please.

Kindly identify yourself by name, residence, and occupation.

Mr. HYUN. My name is Peter Hyun, Il-y-u-n. I reside at 1640 North Dillon Street, Los Angeles.

Mr. ARENS. Your occupation?

Mr. HYUN. Mr. Chairman, I would like to answer that question in the following manner:

There is no question in my mind that that question directed at me, though on the surface may appear ordinary and innocent, I believe will deal with and in the area of my association and my pursuits. And I further believe that my experiences in the last 2 days in witnessing the proceedings in this committee put to test some of the fundamental principles and values by which and with which I have tried to live all my adult life.

Mr. DOYLE. Go ahead, and, if you are going to plead your constitutional privilege, plead it if that is your conclusion, and we will be glad to listen to those two reasons that are not constitutional. But hurry along, Peter.

Mr. HYUN. I just wanted to add this, Mr. Chairman, that the test, I believe, is to determine whether the values, as secured in the Constitution and our Bill of Rights, are to apply for some of the people for some of the time or to apply to all of the people all the time.

Mr. DOYLE. You understand my instruction. You have had your few minutes to make your preliminary remarks. Now go ahead please—

Mr. HYUN. Thank you very much, Mr. Chairman.

For these reasons and for other reasons which I have no time to express at this time, I refuse to answer that question under all the rights guaranteed to me under the Constitution and the Bill of Rights, particularly under the first and fifth amendments.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HYUN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. HYUN. Yes, sir.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. PORTER. John W. Porter, Los Angeles.

Mr. ARENS. Do you know Anita Schneider?

Mr. HYUN. I do not wish to testify in any areas of association of any kind, and I refuse to answer that question under the first and fifth amendments.

Mr. ARENS. Are you in direct personal contact with Mao, the Communist leader in Red China? Or have you been?

[Laughter.]

Mr. DOYLE. Just a minute. There is nothing ridiculous about that question. It is very serious and it was asked because it is serious.

Mr. ARENS. It was asked also, Mr. Chairman, because there is sworn testimony before this committee that this witness is or has been—I should put it that way—has been in personal contact with Mao Tse-tung, and that this witness is using Mao's techniques in the United States.

Now would you kindly answer the question?

Mr. HYUN. Before answering that question, I would like to take just 1 minute in expressing my opinion, if I may.

Mr. DOYLE. No, no. Not your opinion. Give your answer. We are not interested in your opinion. We are not having you here because you may differ with us in your opinion, or vice-versa.

Mr. HYUN. I am very proud to claim my privilege granted me under the Constitution, particularly under the first and fifth amendments, in refusing this particular question.

Mr. ARENS. Now were you a former—

Mr. SCHERER. You are proud, did you say?

Mr. HYUN. Yes, sir.

Mr. SCHERER. Of your connections that he referred to?

Mr. HYUN. I refer to the record as I stated.

Mr. ARENS. Were you formerly United States military adviser to the United States military government in South Korea?

Mr. HYUN. This also deals with my associations, my pursuits, and I refuse to answer that question under the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness be ordered and directed to answer that question.

Mr. DOYLE. Yes. I direct you to answer that question, Mr. Hyun.

Mr. HYUN. I offer you the same answer under the same grounds.

Mr. ARENS. Have you ever worked for the United States Government?

(The witness confers with his counsel.)

Mr. SCHERER. Is this a brother to that other fellow we had on the stand the other day?

Mr. ARENS. Yes, sir.

Mr. SCHERER. Two of a kind.

Mr. ARENS. A bit more than two.

Mr. SCHERER. I've got one here I want to ask him about—Mary.

Mr. ARENS. There is one in North Korea now of this clique. Please answer the question.

Mr. HYUN. Please repeat that question.

Mr. ARENS. Have you ever worked for the United States Government?

Mr. HYUN. Am I working?

Mr. ARENS. Have you ever worked for the United States Government? Ever been employed by the United States Government?

Mr. HYUN. I offer you the same question, the same reasons stated. The same answer, please.

Mr. ARENS. I would like to read you a little excerpt from the Communist Daily People's World, and see if this pride which you have been alluding to still looms so large in your breast. It is an article datelined Los Angeles from the Communist Daily People's World, Wednesday, July 5, 1950, with reference to a crowd assembling demanding immediate withdrawal of the United States forces from Korea.

I am paraphrasing just a little bit so I won't have to read the entire article:

Earlier the crowd heard—

now I pick up the direct quotation—

heard Peter Hyun, former editor of the Korean Independence, fix the blame for the Korea situation.

Hyun, former adviser to the United States military government in South Korea, told the audience that "In the eyes of the Korean people there is no question as to who is the aggressor.

"From its inception, the South Korean Government committed aggression against the Korean people's democratic desires. Today when the combined armed forces of the United States are being rushed and put into action against the entire Korean people, there can be no question of who the real aggressor is."

He declared United States action was "an attempt to accelerate the cold war, without even hiding behind a pretext for the real motives of United States policy, which President Truman himself enunciated—the use of force to suppress the people in Korea, the people of Vietnam, the Philippines and Formosa."

Mr. SCHERER. The people of the Philippines? I thought we just gave them their independence.

Mr. ARENS. Apparently that is the Huk war.

Now, Mr. Hyun, in view of your self-endowment of pride in the Constitution and pride in this Nation, tell this committee while you are under oath whether or not you were the person who made the statements which I have just read to you.

(Document marked "Exhibit No. 548," see appendix, pp. 8081, 8082.)

Mr. HYUN. The statement just read refers to opinions.

I don't believe that the counsel representing this congressional committee has a right to invade any area of personal opinion.

Mr. ARENS. You just now expressed an opinion to us. You said you didn't believe certain things.

Mr. PORTER. Just a minute. I ask that the witness be allowed to finish his answer.

Mr. ARENS. We are only asking you a statement of fact. Did you make these statements which I have just read to you?

Mr. HYUN. I am stating, in my opinion, it is a fact that the statement you read deals with opinions.

Mr. ARENS. Tell us whether or not, as a fact, you made this statement.

Mr. PORTER. I ask the protection of the committee.

Mr. ARENS. Counsel, I hope we are not going to have any further trouble with you.

Mr. Witness, did you make these statements?

Mr. PORTER. I ask that the witness be allowed to make his answer.

Mr. ARENS. You know your sole and exclusive prerogative is to advise Comrade Hyun what to do here, and not to advise this committee or to have any more outbursts.

Mr. PORTER. Mr. Chairman, I ask that counsel be admonished to be courteous to the witness and to counsel.

Mr. ARENS. I suggest that Comrade Porter be admonished that if we have further outbursts of this kind he will be removed from the room.

Mr. PORTER. May I make a statement as to the canons of professional ethics as a matter of personal privilege?

Mr. DOYLE. I am familiar with those. I have practiced law more than you have.

Mr. PORTER. Counsel should be advised to observe them as counsel for the witnesses under your rules.

Mr. ARENS. I am surprised that Mr. Porter should talk of the canons of ethics, a member of the Communist conspiracy that has no ethics at all.

Mr. DOYLE. Mr. Hyun, you understand the question.

Mr. HYUN. I was answering the question, Mr. Chairman.

Mr. DOYLE. Then answer it and let's proceed.

Mr. HYUN. I would like to ask this one question of the chairman.

That is, that I have watched very earnestly and very carefully all of the proceedings. And the rules of this committee was cited by the chairman and the counsel many times. I would like to know at this time if there is any provision in the rules as to the conduct of the counsel.

Mr. ARENS. Don't try to turn these proceedings on counsel.

I will take an oath any day in the year I am not a Communist.

Mr. SCHERER. He does not have any connection with the Red government of China either.

Mr. DOYLE. Just a minute, Mr. Hyun.

It is so customary for that sort of a question to be thrown at me under certain conditions that I am not surprised to have it from you, sir.

But, to me, the counsel is asking you a question of fact. He is not asking your opinion. He asked you whether or not you made those statements. That is what he is asking you. That is a question of fact. It is not a question of your opinion. It is a question of whether or not you made those statements as printed in that paper.

(The witness confers with his counsel.)

Mr. DOYLE. That is a question of fact, in my judgment. And I direct you to answer.

(The witness confers with his counsel.)

Mr. HYUN. And, as I stated, because of the character of the question, I refuse to answer that question under the first and fifth amendments.

Mr. ARENS. I respectfully suggest he be ordered and directed to answer that question.

Mr. DOYLE. To make it clear, I am directing you to answer the question.

Mr. HYUN. The same answer for the same reasons.

Mr. ARENS. Now, Mr. Hyun, we are going to display to you a number of exhibits of the Communist Daily People's World and other exhibits in which you are identified as executive secretary of the Southern California Peace Crusade, during the time that our boys were being shot by the Communists in Korea with their hands tied behind their backs.

Peter Hyun, executive secretary of the Southern California Peace Crusade, who was making various speeches, causing to be passed various resolutions, all to create sentiment for the withdrawal of the United States from Korea, and to neutralize the activities of this Nation.

Kindly look at these exhibits as they are being displayed to you, and see if you will not while you are under oath——

(Documents marked "Exhibit No. 549a-e," see appendix, pp. 8082, 8083.)

Mr. SCHERER. Southern California Peace Crusade?

Mr. ARENS. Yes.

Mr. SCHERER. That is the organization that met at Fritchman's church; didn't it?

Mr. ARENS. Yes, sir.

Kindly tell us while you are under oath now and in the aura of patriotism which you have just surrounded yourself in the opening statement, whether or not you betrayed your country by being executive secretary of this organization designed to subvert the security of this great Nation.

(The witness examines document.)

Mr. HYUN. Mr. Chairman, the counsel is putting words in my mouth which I didn't—

Mr. ARENS. Then you deny them, sir, while you are under oath?

Mr. PORTER. Mr. Chairman, I ask that counsel be admonished to exhibit courtesy to the witness.

Mr. ARENS. I suggest counsel be admonished that if we have one more outburst he will be forcibly ejected from this room.

Mr. PORTER. Every outburst has come from Mr. Arens.

Mr. ARENS. I respectfully suggest that counsel be admonished if he violates the rules of this committee he will be forcibly ejected from this room.

Mr. DOYLE. Let's do that. Let's observe strictly the rules so we can save the time of everyone concerned.

Mr. PORTER. May the rules apply equally to both counsel?

Mr. DOYLE. They apply to all of us.

Mr. PORTER. Thank you.

(The witness examines document.)

Mr. HYUN. I don't feel I am being put in a fair position for a fair hearing here, Mr. Chairman.

Mr. DOYLE. You are being asked a question of fact as I see it.

Mr. HYUN. But being asked in such a way there is a conclusion attached to the question. There is condemnation attached to the question.

Mr. ARENS. Let's change the question.

Mr. SCHERER. Just a minute. Was there anything wrong with the conclusion that counsel reached in his question?

Mr. HYUN. I didn't say they are right or wrong, but it is an unfair manner of presenting questions.

Mr. SCHERER. All right. Was there anything wrong in the conclusions? Did he make a misstatement in his conclusions about you?

Mr. HYUN. Do you want me to answer that question first, Congressman Scherer?

Mr. SCHERER. Yes; that question first.

Mr. HYUN. I refuse to answer that question under the first and fifth amendments.

Mr. SCHERER. Then don't object to his conclusions.

Mr. ARENS. For the moment may we change the question to say were you executive secretary of this innocent little organization, this patriotic organization, this organization for the uplift of humanity, the Southern California Peace Crusade?

Mr. HYUN. I will refuse to answer that question on the same grounds I stated before.

Mr. ARENS. Now, Mr. Hyun, Mr. Wheeler is going to display to you a number of documents showing your identity with the Los Angeles Committee for Protection of Foreign Born.

Kindly look at these documents on some of which your signature appears, or at least on all of which your name appears as a sponsor of the Los Angeles Committee for Protection of Foreign Born, and verify your participation in this organization as a patriot of this Nation.

(See exhibit 433, appendix, p. 7858.)

(The witness examines documents and confers with his counsel.)

Mr. SCHERER. You see, as we sit here now, it becomes more and more apparent why these Communists are so vitally interested in annihilating or striking from the McCarran-Walter Act the security provisions of that act. It is for the purpose of saving their own necks. They want to make it more difficult to deport them, and easier for these Communists to get into the country. That is their sole objective.

Mr. ARENS. Curiously enough, too, while he is looking at those, his brother's life was saved by the Walter-McCarran Act because under the Walter-McCarran Act, for the first time in history, the Congress enacted provisions that one couldn't be deported to a country in which he would be physically persecuted.

The testimony is clear that his brother, who is likewise a Communist, was up for deportation. If he had been deported to South Korea he would have been shot.

Mr. PORTER. Counsel's statement of the law is wrong as usual.

Mr. ARENS. Counsel's statement of the law is not wrong.

Would you kindly answer the question?

Mr. HYUN. In regard to which papers that you showed me, counsel?

Mr. ARENS. The various papers we showed you connecting you with the Los Angeles Committee for Protection of Foreign Born.

Mr. HYUN. This deals with association. I refuse to answer on the same grounds.

Mr. ARENS. How about the documents which were displayed to you with reference to your participation as executive director of that peace crusade?

Mr. HYUN. Same answer; same grounds.

Mr. ARENS. Now we want to display to you still another document from the Communist Daily People's World.

Peter Hyun of the Committee for a Democratic Far Eastern Policy—according to this is going to discuss the Korean people and their story at the Progressive Forum.

Kindly look at that document and tell us whether you are the Peter Hyun who was going to discuss the Korean people and their story.

(See exhibit No. 549e, appendix, p. 8083.)

(The witness examines document and confers with his counsel.)

Mr. HYUN. Again this deals with my association and opinions. I refuse on the same grounds, refuse to answer on the same grounds.

Mr. ARENS. Mr. Chairman, we have two documents bearing the signature of Peter Hyun; one as executive director; and the other as president of the California Peace Crusade.

Again we have a situation where an employee and an official are interchanged here.

Kindly look at these two documents: One the signature card on the California Bank for the [Southern] California Peace Crusade, with Peter Hyun's signature appearing as president; and, the other, a

letterhead of the [Southern] California Peace Crusade, with Peter Hyun, executive director.

Kindly look at those two documents and see if you will kindly be good enough to tell this committee if you are the Peter Hyun.

(The witness examines documents.)

(Documents marked "Exhibit Nos. 550a, b," see appendix, pp. 8084, 8085.)

Mr. HYUN. The same answer; same grounds.

Mr. ARENS. If, as and when this witness signs a voucher, his signature be incorporated from that voucher in the body of the record for comparison of signatures.

(Document marked "Exhibit No. 550c," see appendix, p. 8086.)

Mr. DOYLE. It will be so ordered.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. VELDE. No questions.

Mr. SCHERER. Your sister is Alice Hyun; isn't she?

(The witness confers with his counsel.)

Mr. HYUN. I don't see what pertinence this particular question would have on the subject of investigation here. I refuse to answer this question under the grounds of the first and fifth amendments.

Mr. SCHERER. She is in North Korea now; is she not?

Mr. HYUN. I refuse to answer this question on the same grounds.

Mr. SCHERER. When was the last time you had contact with her?

Mr. HYUN. I refuse on the same grounds.

Mr. SCHERER. And you are the brother of David Hyun?

Mr. HYUN. Same answer.

Mr. SCHERER. The man to whom counsel just referred a few minutes ago?

Mr. HYUN. Same answer. Same grounds.

Mr. SCHERER. Tell us who Mary H. Hyun is.

Mr. HYUN. I still maintain that my pride, despite the admonition of counsel for upholding and maintaining such pride—I do not care to testify on any persons, or any activities, any opinions dealing with anyone to this committee. I must refuse on the same grounds.

Mr. SCHERER. You know that Mary Hyun is your sister-in-law; is she not? And she is one of the officers of the Los Angeles Committee for Protection of Foreign Born. You know that; don't you?

Mr. HYUN. I refuse on the same grounds, that I do not care to deal with any question of association or opinion, and I claim my privilege under the first and fifth amendments in refusing to answer that question.

Mr. SCHERER. Do you know that she had authority to dispense funds of that organization?

Mr. HYUN. The same answer on the same grounds.

Mr. SCHERER. Is she a member of the Communist Party, too?

Mr. HYUN. Same answer on the same grounds.

Mr. SCHERER. Where were you born, Witness?

Mr. HYUN. I don't see what pertinence that question would have at the present hearing. I refuse to answer that question on all of the privileges I have under the Constitution and the Bill of Rights, particularly under the first and fifth amendments.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DOYLE. I feel that is an appropriate question. I direct you to answer that question, Mr. Hyun.

(The witness confers with his counsel.)

Mr. DOYLE. I don't see how it can possibly incriminate you if you were born in Korea.

Mr. HYUN. I heard Congressman Scherer, as well as the counsel, yesterday and the day before, about waiving the right and opening the door when answering any innocent or innocuous questions. And I don't want to place myself in such jeopardy. I don't wish to waive any of my rights under the Constitution and the Bill of Rights. And I do not see any pertinence to this question to the matter at hand, and I refuse therefore to answer this question, on the first and fifth amendments.

Mr. SCHERER. The fact is that you couldn't possibly incriminate yourself by answering that question because you were born in Hawaii. And by reason of the fact you are born in Hawaii, you are a citizen of the United States, unfortunately. But you are.

Mr. HYUN. The very fact that—

(The witness confers with his counsel.)

Mr. HYUN. The fact that the Congressman had the information and insists on asking such a question leads me to fear this is a method of entrapment. Therefore, I refuse to answer that question under the privileges granted to me—

Mr. SCHERER. It merely demonstrates the fact that you improperly invoked the fifth amendment and didn't invoke it in good faith. How could it possibly incriminate you to say that you were born in Hawaii and are, therefore, a native citizen of the United States? It just shows the ridiculousness of it.

Mr. DOYLE. I wish to say this, Mr. Hyun, that I think I remember when you appeared before another committee of which I was a member. And also your brother, as I recall it.

I was in Korea a week, as you know, during the hostilities. I know a good deal about you and your brother and your family that you don't know I know. When I was over there during the hostilities I was up fairly close to the lines and was handed some of the shrapnel that was shot at me while I was there. It was handed me later on by General Wainwright, whose guest I was. I want to say to you that I have read some of the quotations alluding to you in the Communist People's World and so forth, and, if you made those statements as they are quoted there, they certainly weakened the position of the United Nations and the American troops in Korea and in the esteem of the American people.

Mr. SCHERER. It goes further than that, Mr. Chairman. That is giving aid and comfort to the enemy in time of war, which is treason.

Mr. PORTER. Congressman Scherer is wrong on the law also.

Mr. HYUN. Mr. Chairman, I would like to ask for an opportunity of an open forum where you and I or anyone else would debate the question of our foreign policy.

Mr. ARENS. You will have it this evening before the Los Angeles Committee for Protection of Foreign Born in their meeting.

Mr. DOYLE. We are concerned here this morning with the policy of the Communist Party through fake committees undertaking to subvert anti-Communist legislation in Congress. And I just want to reaffirm that if you made those statements you certainly helped the enemy, in my judgment.

Mr. HYUN. I said I would like an opportunity where we could debate our foreign policy.

Mr. ARENS. You will do that this evening when the American Committee for Protection of Foreign Born has its convention here in Los Angeles, beginning this evening. I would suggest you might see if you can address that group.

Are you now or have you ever been a member of the Communist Party?

Mr. HYUN. I offer you the same answer for the reasons I stated throughout this hearing.

Mr. SCHERER. Have you ever been an agent of the Communist conspiracy and the Russian Government?

Mr. HYUN. Same answer; same grounds.

Mr. DOYLE. Let me just admonish you this way, Peter Hyun: It would seem to me that if you made those statements which you are quoted as saying in your debates on foreign policy, see if you can't shape your language so that a schoolchild would be able to read it and understand that you were not condemning the United States of America in the world. Try that. Try to reshape your language so that you help the United States of America in foreign countries instead of hurting them.

(The witness confers with his counsel.)

Mr. SCHERER. Mr. Chairman, I have no idea that he would ever do that.

Mr. PORTER. Is Mr. Hyun excused?

Mr. DOYLE. Yes. Thank you.

Who is your next witness, Mr. Arens?

Mr. ARENS. Lillian Doran. Kindly come forward.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. DORAN. I do.

TESTIMONY OF MRS. LILLIAN DORAN, ACCOMPANIED BY COUNSEL, JOHN W. PORTER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. DORAN. My name is Lillian Doran, 647 West 102d Street. At present—housewife.

Mr. ARENS. Are you Miss or Mrs.?

Mrs. DORAN. Mrs.

Mr. ARENS. You are appearing today, Mrs. Doran, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DORAN. Yes, I am.

Mr. ARENS. You are represented by counsel?

Mrs. DORAN. I am.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. PORTER. John W. Porter, Los Angeles.

Mrs. DORAN. Mr. Chairman, I was not presented with the rules and regulations of this committee.

Mr. DOYLE. You may have two copies now.

Mr. SCHERER. There is one right there on counsel's desk.

Mr. DOYLE. But your counsel has had one for 3 or 4 or 5 years. I assume he has. Here is another copy.

Mrs. DORAN. Well, it was most interesting to me because I wanted to ask you a question.

Mr. ARENS. Just a moment. Did you rehearse this before you came in? Mrs. Schneider, a previous witness, said that all Communists rehearsed before they testify on how to attack the committee by various techniques and devices. Was this all rehearsed that you are going to do now? Or is this something original?

Mrs. DORAN. Mr. Chairman, I was talking to you. May I ask you—

Mr. DOYLE. Ask it briefly.

Mrs. DORAN. Thank you. I will ask it very briefly or as briefly as I can. I don't speak briefly because it is hard for me to express myself.

I want to be sure that I am represented by counsel of my choice and that I am represented adequately with no references to counsel except by his name, and myself by my name. Now, would you guarantee that to me? The reason I asked you for the rules is that I wonder if this is in the rules of the committee.

Mr. DOYLE. You are the second person this morning that has asked. So I presume there has been a little conference about it out in the hall.

Mrs. DORAN. That is your presumption.

Mr. DOYLE. That is right. That is my presumption.

Mrs. DORAN. It isn't what I said.

Mr. DOYLE. No, but that is my deduction.

Mr. SCHERER. Is he wrong in his deduction?

Mr. DOYLE. Which I think is fair.

Just proceed, and everyone try to be courteous and be cooperative.

Mrs. DORAN. Thank you.

Mr. DOYLE. You be the same, Mrs. Doran.

(The witness confers with her counsel.)

Mrs. DORAN. Yes, I will.

Mr. ARENS. If I understood you a moment ago, you were rather verbose in your responses to questions. Is that correct?

Mrs. DORAN. Do you want a character analysis, Mr. Arens? Is that the purpose of your question?

Mr. DOYLE. You are throwing something into the microphone yourself. That is not responsive. That is unnecessary.

Mrs. DORAN. I know, but you said everyone would be courteous.

Mr. DOYLE. No. It is sarcastic. Eliminate that and get to the point.

Mr. ARENS. Mrs. Doran, did you appear before the Federal grand jury in these parts in the course of the last several years with reference to Communist Party affairs?

Mrs. DORAN. You know, in response to this question and from what I have observed in the last couple of days of a congressional investigation—which I understand this is—and refreshing my mind a little bit

on what the Constitution is and what it protects people from—because it is for the people, and it was written by people who did not mean it only for 175 years—I think it is that old——

Mr. DOYLE. Isn't your speech over? Go ahead and plead the amendments if you are going to. You have had 3 minutes to make your speech. Please go ahead.

Mrs. DORAN. It takes me a little longer.

Mr. DOYLE. Go ahead and answer the question. You have made a good record of making this a forum.

Mrs. DORAN. No—it is your forum, Mr. Chairman; not mine.

Mr. DOYLE. Go ahead.

Mrs. DORAN. All right, I will. Dean Griswold, the dean of Harvard Law School, says——

Mr. DOYLE. No, no. I didn't authorize you to make a speech.

Mrs. DORAN. I can't quote him?

Mr. DOYLE. Go ahead.

Mrs. DORAN. Can I paraphrase him on why I can plead and cite the first and fifth amendments?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Can't you just tell us whether or not you appeared before the Federal grand jury? That is the outstanding question.

Mr. PORTER. Which she was attempting to answer when you interrupted.

Mr. ARENS. Comrade Porter, you just read the rules on the ethics before this committee, and content yourself with that. We will take care of the proceedings here.

Mrs. DORAN. You said everyone would be courteous. My counsel's name is Mr. Porter, P-o-r-t-e-r.

Mr. ARENS. He has been identified as a comrade. One man was identified as a doctor of philosophy. So we called him doctor. This man has been identified as a comrade.

Mrs. DORAN. For the record and in order to protect myself, I refuse to answer the question, if I can still remember it, by citing the first and fifth amendments. And I want everyone here to remember that my counsel's name is Mr. Porter. And I believe that is the way we address each other in this country.

Mr. ARENS. Do you address him in any other capacity any place else besides in public session?

Mr. PORTER. Just a minute.

Mr. DOYLE. Just a minute.

Mr. PORTER. I rise to a point of personal privilege, and charge that counsel is violating——

Mr. ARENS. I suggest that counsel submit himself to an oath if he wants to engage in these proceedings with reference to whether or not he is a comrade or, else, that he restrain himself and read the canon of ethics of the American Bar Association here, which, among other things, set high moral standards for practitioners of the law who are sworn to uphold the Constitution of the United States.

Mr. PORTER. Counsel has repeatedly violated canon 17——

Mr. ARENS. I show you a photostatic copy of the Communist Daily Worker of April 14, 1949, in which your photograph appears with this caption:

Lillian Doran, shown here in Los Angeles jail after being convicted of civil contempt for refusing to be stool pigeoned at a Federal grand jury witch hunt, was released last Monday on \$500 bail along with eight others.

Kindly look at this photograph and see if the Communist Daily Worker was correct in identifying you as one who refused to be a stool pigeon.

(Document retained in committee files.)

Mr. PORTER. Mr. Chairman, counsel's last two questions and his manner of address are directly violative of canons 17, 18, 26, and 32 of the canons of ethics for the profession which he disgraces——

Mr. DOYLE. Mr. Porter.

Mr. SCHERER. Wait a minute.

Mr. PORTER. Of the American Bar Association canons of ethics.

Mr. SCHERER. I move that counsel be removed from the room.

Mr. VELDE. I second the motion.

Mr. PORTER. Having been attacked by counsel, I claim the right, as a matter of due process of law, to respond to that attack and to claim the protection of this committee for a member of the bar——

Mr. VELDE. I move the question, Mr. Chairman.

Mr. DOYLE. Mr. Porter, there has been a motion made to me as chairman by Mr. Scherer, and seconded by Mr. Velde, which constitutes a majority of the committee, that you be ejected from the room because you are in violation of the committee's rules.

Mrs. DORAN. Excuse me——

Mr. DOYLE. Just a minute, madam.

Mr. PORTER. The committee's rules do not apply when counsel is attacked, Mr. Chairman.

Mr. ARENS. Please restrain yourself.

Mr. DOYLE. I am placing the motion before the committee. All in favor——

Mr. PORTER. I ask to be heard on the motion, Mr. Chairman.

Mr. DOYLE. This is not a court. You well know that.

Mr. PORTER. That is right. And if it were, the sort of things you permit couldn't conceivably happen.

Mr. SCHERER. Wait a minute.

Mr. PORTER. This is why we have courts, so the kind of things this committee perpetrates on American people cannot happen.

Mr. DOYLE. The kind of thing you perpetrate in some ways should not happen, Mr. Porter. The motion is carried, and I want to extend you this courtesy:

Do you want to leave the hearing room or do you want the marshal to assist you?

Mr. PORTER. I need no assistance.

Mrs. DORAN. I just want to ask a question before he leaves, Mr. Chairman.

Mr. SCHERER. We can ask that afterward.

Mrs. DORAN. How can it be asked afterward? I won't have an attorney.

Mr. DOYLE. Mr. Porter, you have heard the motion.

It is my order that you take advantage of the chairman's courtesy and leave the room, or you will be ejected. Which do you want?

Mr. PORTER. I said I was going to leave and I intend to do so.

Mr. DOYLE. Let's wait.

Mrs. DORAN. Leave him alone.

(Whereupon, counsel for the witness was escorted from the hearing room.)

[Applause.]

Mr. SCHERER. Let's clear the room. Clear the room.

Mr. DOYLE. The committee will proceed.

Mr. ARENS. Witness, Mr. Appell of this staff is going to lay before you a bank signature card for the Los Angeles Committee for Protection of Foreign Born, on which your signature appears. He is also going to display to you certain exhibits, including letterheads of the Los Angeles Committee for Protection of Foreign Born, in which your signature appears as executive secretary of the Los Angeles Committee for Protection of Foreign Born, and similar documents identifying you as an official of the Los Angeles Committee for Protection of Foreign Born.

Kindly look at these documents and tell this committee while you are under oath whether or not those documents correctly reflect your signature.

(Documents marked "Exhibit Nos. 551a-c," see appendix, pp. 8087-8089.)

Mrs. DORAN. I will not look at one thing or say one more word until I have an attorney.

(The committee confers.)

Mr. SCHERER. Mr. Chairman, I move that the witness be excused at this time subject to further call of the committee, and the subpoena be continued to give her an opportunity to get counsel.

Mr. ARENS. Mr. Chairman, before that is passed on, may I ask that the signature of this witness, if, as and when it is affixed to a voucher, be incorporated in the body of this record for purposes of comparison of signatures.

(Document marked "Exhibit No. 551d," see appendix, p. 8090.)

Mr. DOYLE. It will be so ordered.

Your next witness?

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Ethel Linn.

Mr. DOYLE. Will you please raise your right hand—your right hand.

Mrs. LINN. Pardon me. I'm sorry.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LINN. I do.

TESTIMONY OF MRS. ETHEL LINN, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. LINN. My name is—can you hear, sir?

Mr. ARENS. Yes.

Mrs. LINN. My name is Ethel Linn, L-i-n-n. I reside at 8400 West Fourth Street, Los Angeles 48.

Mr. ARENS. Are you Miss or Mrs.?

Mrs. LINN. I am Mrs., sir. And I am not finished. You wanted to know what my occupation is. I am a housewife, and a mother of two children, sir.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. LINN. Yes.

Mr. ARENS. You are represented by counsel?

Mrs. LINN. Yes.

Mr. ARENS. Will counsel kindly identify yourself.

Mrs. ROSENBERG. Rose S. Rosenberg, b-e-r-g, of Los Angeles.

Mr. ARENS. Mrs. Linn, do you know a person by the name of Adele Kronick Silva, S-i-l-v-a?

Mrs. LINN. Gentlemen and Mr. Chairman, if I am allowed, I know that you are as anxious as I am to dismiss and go home. This is Saturday, the day of the Sabbath.

Mr. DOYLE. No. We are quite ready to work all day today.

Mrs. LINN. Fine. All right, then, I will work with you. But I think that we can understand each other very much better if you will allow me to make a very short, quick—and if you want to take your watches out and time me, it will take me about 1 minute—to make a quick little statement so that we understand each other, gentlemen.

Mr. DOYLE. One minute. Go ahead. That is what you asked for.

Mrs. LINN. Thank you, Mr. Doyle.

I am a patriotic American Jewish woman, and every Friday night, over the Sabbath candles, my two little children and myself make a prayer over the bread and the food on our table. We bless this and we also bless the country that we live in, sir. We are very proud of it, and very, very much proud of our Constitution and our Bill of Rights.

In view of the fact of what I have witnessed today especially, and 2 other days ensuing, I did not come on my own accord. I was subpoenaed to come here. But it has been quite an experience, sir. And I have learned a great deal about the behavior and the objective of this body and what its intentions are.

Therefore, and in regard to my Constitution and Bill of Rights, I shall take a staunch and steady stand, even more than ever sir. Fire away.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mrs. LINN. Would you please repeat the question, sir.

Mr. ARENS. The question is, Do you know a person by the name of Adele Kronick Silva, S-i-l-v-a?

Mrs. LINN. Mr. Arens, I am proud to tell you that I am going to take the position on the first and fifth amendments.

Mr. DOYLE. What is your position on that?

Mrs. LINN. I take a position because I am proud of the first—

Mr. DOYLE. Do you claim that privilege?

Mrs. LINN. I am claiming the privilege.

Mr. DOYLE. All right.

Mrs. LINN. Fine.

Mr. ARENS. Lady—

Mrs. LINN. My name is Mrs. Linn.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you know Adele Kronick Silva you would be supplying information which might be used against you in criminal proceeding?

Mrs. LINN. Mr. Arens, I am afraid that would be absolutely impossible to be completely honest in regard to the character of this committee, and I must claim the privilege.

(The witness confers with her counsel.)

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mrs. LINN. I am very much afraid to say anything. I won't discuss anything with you people.

Mr. DOYLE. Go ahead and testify.

Mrs. LINN. I am terribly afraid of this committee.

Mr. DOYLE. You have said that many times in the last few minutes.

Mrs. LINN. All right. Then I will claim the privilege of the first and fifth amendments.

Mr. DOYLE. Very good. Proceed.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mrs. LINN. I shall do so, Mr. Arens.

Mr. SCHERER. The record is already—

Mrs. LINN. It is on the record, I believe, sir.

Mr. DOYLE. Yes; it is.

Mr. ARENS. Adele Kronick Silva, who was a former undercover agent in the Communist conspiracy at the behest of the Federal Bureau of Investigation, gave sworn testimony that she knew you as a member of the Communist Party. Was Adele Kronick Silva lying or was she telling the truth?

Mrs. LINN. I will answer the same as I have before. I will proudly claim the privilege of the first and fifth amendments.

Mr. ARENS. Mr. Wheeler, my associate, is going to display to you a document of the Ethel Linn Defense Committee for the Repeal of the McCarran-Walter Act.

Kindly look at this document and see if you can tell us something about this Ethel Linn Defense Committee for the Repeal of the McCarran-Walter Act.

(Document marked "Exhibit No. 552a, b," see appendix, pp. 8091, 8092.)

(The witness examines document and confers with her counsel.)

Mrs. LINN. In answer to the question I will quote this:

Such proposals are not consistent with the constitutional doctrine of the separation of powers—

President Harry S. Truman.

Mr. ARENS. Who prepared that document that you are reading from?

Mrs. LINN. Vetoing the Walter-McCarran Act or the Walter-McCarran bill, as it is placed here.

Mr. ARENS. Tell us, please, who prepared the document on this Ethel Linn Defense Committee.

Mrs. LINN. "The Walter-McCarran law rests upon an attitude of——"

Mr. DOYLE. Mrs. Linn, you are being asked a question. So please cooperate.

Mrs. LINN. I will claim the privilege and refuse to answer on the first and fifth amendments.

Mr. ARENS. Do you honestly feel that if you told this committee what you know about the Ethel Linn Defense Committee you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. LINN. I am truly, sincerely, honestly afraid to answer this committee—I really am—in regards to—

Mr. DOYLE. What is your answer?

Mrs. LINN. I will claim the first and fifth amendments, sir.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that last question.

Mrs. LINN. I claim, Mr. Arens—Are you listening?

I am claiming the privilege of the first and fifth amendments.

Mr. SCHERER. Let me explain it to her.

The courts and the law require us to ask the chairman to direct you to answer the question.

We heard you, but then you may repeat the same answer if you so desire.

Mrs. LINN. I am sorry. I misunderstood you, sir.

Mr. DOYLE. So I direct you to answer that question.

Mrs. LINN. All right. I claim the privilege in the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. VELDE. No questions.

Mr. SCHERER. No questions.

Mr. ARENS. We haven't asked this: Are you now or have you ever been a member of the Communist Party?

Mrs. LINN. I claim the privilege of the first and fifth amendments.

Mr. DOYLE. The witness is excused.

Mr. ARENS. Mr. Martin Hall, kindly come forward.

Mr. DOYLE. Mr. Hall, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HALL. I do.

Mr. DOYLE. Please be seated.

TESTIMONY OF MARTIN HALL, ACCOMPANIED BY COUNSEL, DANIEL G. MARSHALL

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HALL. My name is Martin Hall. I reside at 966 $\frac{1}{8}$ Palm Avenue, Los Angeles 46. I am a writer and lecturer.

Mr. ARENS. You are appearing today, Mr. Hall, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HALL. I do.

Mr. ARENS. And you are represented by counsel?

Mr. HALL. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. MARSHALL. My name is Daniel G. Marshall, Los Angeles.

Mr. Chairman, I wish to address the chairman with respect to the conduct of these proceedings.

Mr. DOYLE. We are not going to take time—

Mr. MARSHALL. I don't want to get involved in any altercation.

You have a responsibility of protecting counsel against invasions of their rights as counsel. You are a member of the bar, and you have a responsibility.

Mr. ARENS. I respectfully suggest—

Mr. MARSHALL. I want to be treated with respect.

Mr. SCHERER. One more outburst, Mr. Marshall, and I am going to move that you be ejected from this room. You know the rules.

Mr. DOYLE. Let's proceed.

Mr. MARSHALL. I ask you—

Mr. ARENS. I ask you, Are you now or have you ever been a member of Communist Party?

(The witness confers with his counsel.)

Mr. HALL. Would the reporter please read the question. I couldn't hear.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

(The witness confers with his counsel.)

Mr. HALL. I must decline to answer this question on the grounds of the first amendment supplemented by the fifth amendment.

Mr. ARENS. Where were you born?

(The witness confers with his counsel.)

Mr. HALL. I decline to answer this question, too, on the grounds of the first amendment supplemented by the fifth. It can't possibly have anything to do with the proposed legislative contemplations of this committee where I was born.

Mr. DOYLE. Mr. Witness, I instruct you to answer that question.

(The witness confers with his counsel.)

Mr. HALL. The same answer for the same reason.

Mr. ARENS. Are you a citizen of the United States?

(The witness confers with his counsel.)

Mr. HALL. Yes, I am.

Mr. ARENS. By derivation or by naturalization or by birth?

(The witness confers with his counsel.)

Mr. HALL. Counsel, as I understand the Constitution, it makes no difference as to the rights of an American citizen whether he was—

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. HALL. And for this reason I have to decline. There is no pertinence, and I decline to answer this question on the first and fifth amendments.

Mr. DOYLE. I instruct the witness to answer the question.

Mr. HALL. Same answer; same reason on the same grounds.

Mr. ARENS. Mr. Wheeler is going to display to you now a card from the Fifth Annual Southern California Conference To Protect the Rights of Foreign Born [Americans], bearing your signature. Kindly look at that document and be good enough to certify its authenticity.

(Document marked "Exhibit No. 553," see appendix, p. 8093.)

(The witness confers with his counsel.)

Mr. MARSHALL. Mr. Chairman, I don't want this microphone on while I confer with my client. Is there a cutoff button?

Mr. DOYLE. Just a minute, Dan Marshall.

You did not need to interject that. If you don't want to speak so your advice to your witness is heard, that is O. K. But leave the hearing room equipment alone.

Mr. MARSHALL. I am inquiring. Is there a cutoff button?

Mr. DOYLE. I don't know.

Mr. MARSHALL. Yesterday Mr. Scherer mentioned that he could hear and didn't want to overhear consultations between client and attorney. Let's be reasonable and cut it off.

Mr. DOYLE. Now you have made your little speech.

Mr. MARSHALL. There isn't any speech. Let's be civilized. Let's be courteous. Is this off now?

Mr. ARENS. Incidentally, Mr. Hall, while you are looking at that card, may I invite your attention to the fact that you are designated there as a delegate from the arts, sciences, and professions to this conference.

(The witness confers with his counsel.)

Mr. HALL. This question pertains to my personal obligations which are protected under the first amendment, and I decline to answer this question on the grounds of the first amendment supplemented by the fifth.

Mr. ARENS. Now Mr. Wheeler is going to display to you a document, which is The Torchlight, official publication of the Los Angeles Committee for Protection of Foreign Born, in which your name appears. You are going to be a speaker. Martin Hall is going to lecture on the cold war at the Hungarian Workers Hall. And it is sponsored by the Needle Trades Committee for Protection of Foreign Born. I believe that is a new organization from the standpoint of this record. The Needle Trades Committee for Protection of Foreign Born.

Kindly look at that document and see if you will be good enough to verify its authenticity with reference to yourself and your lecture.

(Document marked "Exhibit No. 554," see appendix, pp. 8094-8097.)

Mr. MARSHALL. Mr. Chairman, may I ask that this document be marked for identification for the record?

Mr. ARENS. Counsel, I will explain to you that the chairman had a general order at the start of this hearing that all documents which are displayed will be appropriately marked and included in the record.

Will you kindly answer the question, please, Mr. Hall?

Mr. MARSHALL. At this time I ask for a reasonable opportunity to read the document submitted so that I may adequately and competently advise my client with respect thereto.

Mr. DOYLE. Go ahead and take a reasonable time and do it.

Mr. MARSHALL. Was that remark directed to me, Mr. Scherer?

Mr. SCHERER. I didn't say anything at all to you. I asked if this was the last witness. I have a luncheon engagement at 12:30.

Mr. MARSHALL. Just before that.

Mr. ARENS. Mr. Chairman, I respectfully suggest——

Mr. MARSHALL. You just said you didn't say a God-d—— thing.

Mr. ARENS. I respectfully suggest that this man be removed from the room. He has insulted a member of this committee.

Mr. MARSHALL. Did you say that, Mr. Scherer?

Mr. VELDE. I move that he be removed from the committee room.

Mr. MARSHALL. Didn't you say it, Mr. Scherer?

Did you say it?

As man to man, lawyer to lawyer, did I hear correctly?

Mr. SCHERER. I do not intend to answer this man. He is violating the rules of this committee.

Mr. MARSHALL. You are claiming the first and fifth amendments.

Mr. VELDE. There is a motion on the floor that he be ejected by the marshal.

Mr. SCHERER. What I say to the committee is no concern of this man.

Mr. DOYLE. Mr. Velde has made a motion that Mr. Marshall be asked to leave the room; if he doesn't, that he be ejected.

Mr. SCHERER. I second it.

Mr. DOYLE. Mr. Scherer seconded it.

Mr. MARSHALL. What is the order of the Chair?

Mr. DOYLE. The motion is carried.

Mr. MARSHALL. What is the order of the Chair?

Mr. DOYLE. The ruling of the Chair is that you leave the hearing room voluntarily or you will be ejected.

In my opinion, you deliberately violated the rules of the committee.

Mr. MARSHALL. I do not leave voluntarily, but I will not be removed by force because if it is an order of the committee that I leave——

Mr. DOYLE. I regret it very much, but that is the way it is.

Mr. MARSHALL. You should regret it. Am I ordered to leave?

Mr. DOYLE. You heard my statement, Mr. Marshall.

Mr. MARSHALL. Am I ordered to leave? Am I ordered? I wish to go if I am ordered.

(Whereupon, counsel for the witness was escorted from the hearing room.)

Mr. HALL. Mr. Chairman, may I——

Mr. DOYLE. The committee will please come to order, as well as the guests of the committee.

I just wish to say it makes it very difficult on the part of the chairman of the committee because I am well aware of the fact that there is a deliberate plan, an attempt on the part of some people to upset these proceedings and make it as difficult as possible and embarrass the proceedings. And we can't permit even a member of the bar to deliberately and repeatedly violate the rules of the committee.

When I stated to Mr. Marshall that I regretted that was my order; I meant it. But I happen to be chairman of a congressional subcommittee, and I am not even going to allow a member of the California bar, of which I also am a member, to repeatedly, and deliberately violate the rules of this committee.

I know most of these lawyers more or less personally. And it makes it very difficult on me as chairman to make this ruling. But I can't

do less because I know that some of them are deliberately making it difficult. And it is difficult.

What is your statement?

Mr. HALL. Mr. Chairman, not through my fault, I am now without a lawyer.

Mr. DOYLE. I recognize that.

Mr. HALL. And I would very much like to have permission—

Mr. ARENS. I respectfully suggest this witness be continued under subpoena and be excused from further appearance at this time.

Mr. DOYLE. We certainly wouldn't ask you to go ahead without counsel. So you are excused with the subpoena continued.

Mr. SCHERER. It should be obvious now that this is a deliberate plan so that some of these people are not compelled to testify. Their lawyers deliberately violate the rules of the committee so they can be ejected. That deprives them of counsel. They know we won't ask them to go ahead without counsel. So they get out of testifying before the committee.

Mr. HALL. I resent the insinuation. I have asked a civil question—what I can do without a lawyer. And you don't have to insinuate that I conspire.

Mr. SCHERER. I didn't say you did.

Mr. ARENS. Are you a member of a Communist-controlled conspiracy?

Mr. HALL. I am not answering any questions as long as I don't have any lawyer here.

Mr. DOYLE. You are excused. Your subpoena is continued in effect.

Mr. ARENS. Mr. Chairman, that would conclude, if you please, sir, the witnesses on the series of the principal area of inquiry of the committee.

The committee now has 2 or 3 witnesses, 2 witnesses, whom we should like to hear very briefly, principally as an accommodation to another subject.

Mr. DOYLE. All right. Proceed.

(Whereupon, the committee proceeded to other business, after which the following proceedings ensued:)

Mr. DOYLE. Will the listeners be quiet just a minute, please. I will take only 1 minute because it is a late hour.

There have been very, very few people in these 3 days who have in anyway been discourteous or not cooperative, and I want to thank those who have been cooperative. We appreciate that very much.

I want to publicly thank, on behalf of Congress, the management of this Federal building, especially the superintendent and his able staff.

I want to thank the United States marshal and his able staff.

I want to thank, too, the press and cameramen and those in the field of television and radio, for their efforts to get the facts to the people.

Mr. VELDE. Mr. Chairman, I just want to make an observation or two.

It has been very pleasant to be here with you and the gentleman from Ohio, Mr. Scherer, to participate in these hearings.

It just occurred to me that, from listening to the various witnesses, some of them cooperative, who, of course, have been commended by this committee, that there is a very dangerous element to the security of our country here in the Los Angeles area.

I do believe that the lawyers who have been ejected should be closely watched.

I would recommend to the American Bar Association and California Bar Association, as the gentleman from Ohio has recommended, that they consider disbarment proceedings against these vituperative counsel.

May I say also that I would like to commend our very able and efficient counsel, and also Mr. Wheeler who has had charge of the investigations out here, and Mr. Appell and Mr. Weil.

Mr. DOYLE. Do you have anything, Mr. Scherer?

Mr. SCHERER. No; nothing.

Mr. DOYLE. The committee stands adjourned.

(Whereupon, at 12:40 p. m., Saturday, December 8, the subcommittee was recessed, to be reconvened at 10 a. m., Monday, December 10, 1956, in the Federal Building, San Francisco, Calif. Committee members present: Representatives Doyle, Velde, and Scherer.)

COMMUNIST POLITICAL SUBVERSION

TUESDAY, DECEMBER 11, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
San Francisco, Calif.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a. m., in room 338, Federal Building, San Francisco, Calif., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, of California; Harold H. Velde, of Illinois; and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director; William A. Wheeler, Donald T. Appell, and W. Jackson Jones, investigators; and Richard S. Weil, staff member.

Mr. DOYLE. The subcommittee will please come to order.

Before we proceed, I wish the record to show that the membership of the subcommittee officially appointed by Chairman Walter of the full committee is present, Mr. Velde, of Illinois, on my right; Mr. Scherer, of Ohio, on my left; and I, Congressman Doyle, of Los Angeles County, Calif., presiding as subcommittee chairman.

While we are waiting for a few people to be seated so that the proceedings of the committee will not be interrupted, I should state that the article in the San Francisco Chronicle of December 10, 1956, apparently released by the American Civil Liberties Union of Northern California with reference to the public hearings by this committee, was called to my attention.

I will read the last paragraph about which I wish to briefly comment. This is apparently a quote from the executive secretary of the American Civil Liberties Union of Northern California.

What the ACLU most deplores about this headline-hunting committee is its violation of the freedom of speech. There is nothing unlawful about advocating legislative changes in our laws, whether such changes are advocated by Communists or anyone else.

I wish to say in this connection that this committee of the United States Congress, as well as the United States Congress itself, recognizes the worthiness and the propriety of advocating legislative changes in our laws, does not object to the Communists advocating changes in our laws. They, too, have the right of petition of Congress.

But under article V of the United States Constitution there is an orderly way in which our laws may be changed. And the Communist Party in America does not operate in accordance with article V of the United States Constitution as is well proven time after time in this country by findings of our highest courts and by State and congressional legislative committees.

What we are concerned about in these hearings, and what we were concerned about in the Los Angeles hearings last week, was the fact that the Communist Party in America does not petition Congress in its own name. It petitions Congress through false dummies, through false Communist fronts, such as the American Committee for Protection of Foreign Born which was proven to be a Communist front in the Los Angeles hearings. And in the Los Angeles hearings it was shown without contravention, without contradiction that the present executive secretary of the Los Angeles Committee for Protection of Foreign Born, still being paid a salary, was convicted under the Smith Act 2½ years ago. She still is the executive secretary, and is a convicted Communist today.¹

It is quite true her case is on appeal to the United States Supreme Court. But nevertheless, to us, as Congressmen, it is abhorrent that a convicted Communist for 2½ years after conviction by a jury in the United States district court in this State should be continued to be hired by one of these Commie-front committees.

MR. SCHERER. May I interrupt, Mr. Doyle?

MR. DOYLE. Yes, Mr. Scherer.

MR. SCHERER. This executive secretary was a convicted Communist, and all of the paid functionaries of the Los Angeles Committee for Protection of Foreign Born were identified as active Communists.

MR. DOYLE. That is correct. Thank you, Mr. Scherer.

And, as I said yesterday, we believe that your Congress is entitled to know the actual identity of the people who are petitioning it for redress. And one reason we are here this morning is not to deal with the merits of legislation at all, but to find out, if we may, how many Communist fronts or identified Communists in the San Francisco Bay are operating to destroy the internal security provisions of any Federal statute.

We are not here to defend the merits of any Federal statute. We are here to try to ascertain the devious, the subversive, the secret, the undisclosed operations of the Communist conspiracy in this part of our State—by the way, my native State, and I am very proud of it because I was born in Oakland—as relates particularly to four Federal statutes: the Smith Act, 76th Congress; the Subversive Activities Control Act of 1950; the Communist Control Act of 1954; and the Walter-McCarran Act of the 82d Congress.

It is the security provisions of each of these bills with which we are concerned. We naturally do not oppose repeal or amendment or revision of any legislation, but we do feel, and we believe the American public agrees with us, that the Congress is entitled to know with whom it is dealing. And that is one of the purposes of this hearing this morning, and yesterday.

MR. SCHERER. And may I add this, Mr. Doyle, to your excellent statement? That the people of the country have a right to know, when they are called upon to contribute to organizations that seek to

¹ See footnote, p. 6823.

amend legislation, whether or not those organizations are Communist controlled or Communist dominated.

Mr. DOYLE. Now one further statement that was published by the American Civil Liberties Union of Northern California in the same paper, December 10, and I quote:

We don't need public hearings, Besig said, to discover that a handful of Communists have seized upon our harsh and discriminatory immigration laws as a means for making political hay.

A very frank admission by that committee which published this declaration that the Communists have seized upon the immigration laws to make political hay.

And may I make it clear, in view of the attack on this committee condemning these hearings, we wish they would admit and publish also, over their own official designation, the facts about the extent of the Communist conspiracy in our country instead of issuing statements that can not result in other than misleading the American public about the seriousness of the Communist conspiracy.

Mr. VELDE. Mr. Chairman—

Mr. DOYLE. Yes.

Mr. VELDE. Was the ACLU statement submitted to you prior to the release to the newspapers?

Mr. DOYLE. No, it was not.

Mr. VELDE. And also was it by a branch of the ACLU or did it come from national headquarters?

Mr. DOYLE. Well, it is printed American Civil Liberties Union of Northern California. It appears to be released by Mr. Ernest Besig, executive director of the ACLU, who called the hearings grossly unfair, unnecessary, a waste of the taxpayers' money, in violation of the right of free speech. A lot of false window dressing and bunkum.

In saying that may I make it clear we don't criticize. We welcome the able counsel who appeared yesterday and does appear from time to time with that group before this committee. We don't criticize that in any way. Nor do we criticize the right of any group to make a statement.

But we do feel that it should be as clear as crystal, accurate, and truthful and not misrepresentation.

Now just before we begin, because this hearing is in one of the courtrooms of the United States Government, and a courtroom of a very distinguished judge whose courtesy we appreciate in allowing us to meet here, I have here a case which is pertinent, I think, at this time, the case of the United States of America, plaintiff, versus Sam Title, defendant, in the United States District Court, Southern District of California, Central Division, June 8, 1955. This is a decision by the distinguished United States chief judge of the southern district of California, Hon. Leon Yankwich, and I read from page 193 of that decision. And I deliberately read it because I want the record to show, and I want those who are in this courtroom to hear, that this kind of statement is not the information the ACLU takes occasion to release.

I quote from the judge's decision:

We have already referred to the fact that the Communist Party of the United States and the local branch to which the defendant belonged adopted the gloss which Lenin, Stalin and the Communist International placed on Marxist teach-

ings. The literature in the record shows that American Communist conventions and American Communist writers pointed not only to these teachings as correct, but to the practice embodied in the Russian Revolution and the Communist dictatorship enthroned by it as the "way out." The following brief quotations will suffice:

"The experience of the victorious workers of the Soviet Union before, during and after the seizure of power, throw a brilliant light showing the path which must be followed in every land, the path of Bolshevism, of Marx, Engels, Lenin, and Stalin."

It is a pretty serious matter when a year ago our Federal court, after extended trial, made this sort of a finding in a case involving the very type of people, some of whom we are interrogating here in these hearings.

I invite the ACLU to give the American public, from whom it receives its funds, some of this basic information such as that.

Also, in view of the fact that the ACLU of northern California has criticized this hearing as unnecessary and a waste of public funds, I would like, if there is no objection, to read in the record at this point a letter so the American people can take their choice whether or not these hearings are unnecessary. The author of the letter is Mr. J. Edgar Hoover.

(The letter referred to follows:)

OFFICE OF THE DIRECTOR,
UNITED STATES DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D. C. April 2, 1956.

HON. CLYDE DOYLE,

House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN: Your letter of March 29, 1956, has been received and I do appreciate your interest in my recent testimony before the House Appropriations Subcommittee. Unfortunately, I do not have copies available for distribution, but you may like to make inquiry with the office of the Committee for the text.

The American people owe a great debt of gratitude to the work over the years of Congressional investigating committees. These committees, day after day secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.

Congressional investigating committees, moreover, time after time have brought to the attention of the Nation conditions of fraud, dishonesty and subversion. This function of awakening public opinion is of the greatest importance in our democratic life—a service not within the province of regularly constituted investigative agencies. Congressional investigating committees, by the very nature of the broad powers vested in them, are enabled to search out the facts and make them available to the citizenry.

We in the FBI have the highest appreciation for the contributions rendered by Congressional investigating committees dealing with un-American activities. Each in its own way is serving the American people. The FBI is strictly a fact-gathering agency. It does not express opinions or make recommendations on the information it secures. That is the function of other officials of the Government. As the investigative arm of the Department of Justice, the FBI is charged with the duty of investigating violations of the laws of the United States, collecting evidence in cases in which the United States is or may be a party in interest, and performing other duties imposed by law. Its function is not exposure or securing information for legislative purposes. That is the function of the Congressional investigating committees.

I feel that both the FBI and the Congressional investigating committees, in the field of internal security, have important roles to play. We are working for the same goal—protecting our great Nation from enemies who seek to destroy us. Our work is not contradictory, but mutually helpful. That is as it should be.

It was a pleasure to set forth my opinions on this topic, and you may feel free to insert this letter in the Congressional Record.

Sincerely yours,

J. EDGAR HOOVER.

Mr. DOYLE. Now to show the volume of work that a congressional committee has, as well as the FBI, and our Department of Justice, in this field of subversive activities by the Communist conspiracy, the deliberate program of the American Communist Party and other subversives to subvert all security legislation on the Federal level dealing with our own national security, I sent a telegram the other day to the Department of Justice, Washington, D. C., December 4, 1956.

(For telegram and reply, see testimony, pp. 6721, 6722.)

And so may I just briefly say that, generally speaking and almost without exception, the type of people that this committee deals with in these hearings or any public hearings is the type of people being prosecuted by our Department of Justice as reported in these telegrams, and the type of people convicted under our internal security statutes.

Mr. VELDE. I think, Mr. Chairman, you would want to except from that the cooperative witnesses we have had who give us such vital information.

Mr. DOYLE. I am glad you mentioned that, Mr. Velde. And I do expressly wish to except and explain that over the country there is an increasing number of former Communists who got their fill of that sort of bunk and who have come forward voluntarily and cooperated with this committee. We designate them as friendly witnesses. We appreciate that sort of voluntary cooperation and helpfulness.

Mr. DOYLE. Let us proceed, Mr. Arens.

Mr. ARENS. Thank you sir.

Wilhelmina Loughrey,¹ kindly come forward.

Mrs. LOUGHREY. My counsel will be in here this afternoon at 2 o'clock. I wonder if my appearance can be postponed?

Mr. ARENS. Would you kindly come forward a moment?

Mr. DOYLE. Will you come forward so we can hear you, please?

Mrs. LOUGHREY. I understand, Congressman Doyle, that Mr. Treuhaft spoke to you yesterday.

Mr. DOYLE. You are quite right. Yesterday, at the time of adjournment, he spoke to me and said he represented two clients.

Mrs. LOUGHREY. That is right.

Mr. DOYLE. For these hearings. And he asked that you not be required to testify until he could get here at 2 o'clock.

Mrs. LOUGHREY. Thank you very much.

Mr. DOYLE. We are very glad to cooperate.

Mrs. LOUGHREY. Thank you.

Mr. DOYLE. That was Attorney Treuhaft, of San Francisco.

Mrs. LOUGHREY. Thank you.

Mr. ARENS. May I ask, Is the other witness, Mr. Lawrence Lowe represented by the same attorney?

Mr. LOWE.¹ Yes.

Mr. DOYLE. Then you will be excused, if you desire, until 2 p. m. this afternoon.

Mr. LOWE. Thank you.

¹Testimony of Wilhelmina Loughrey (correct spelling, Wilhelmtue Loughry) and Lawrence Lowe on December 11, 1956, appears in Investigation of Communist Propaganda in the United States, Part 3, pp. 6135-6139.

Mr. ARENS. The next witness, if you please, then, Mr. Chairman, will be Grace Partridge.

Mr. Chairman, so the record may be clear, may I make a little explanation here to the committee?

The two witnesses who were just now excused until 2 p. m. were witnesses who were subpoenaed in connection with the project on Communist propaganda.

Beginning now, the inquiry will be focused on the second phase of the committee's study; namely, Communist Political Subversion.

TESTIMONY OF MRS. GRACE PARTRIDGE, ACCOMPANIED BY COUNSEL, NORMAN LEONARD

Mr. LEONARD. Mr. Chairman, I was before the committee yesterday. So the committee knows me. My name is Norman Leonard. I represent Mrs. Partridge.

I have a problem which I wonder if I could raise with the committee at this point.

Mr. DOYLE. If it is points of law or anything of that sort, this is not a court.

Mr. LEONARD. I appreciate that.

Mr. DOYLE. If it is a motion——

Mr. LEONARD. It is a matter of procedure.

May I state my question, and then, of course, I will abide by whatever the committee says.

Mrs. Partridge is here in response to a subpoena that was served upon her. I am her counsel, and I have got to represent her. I also want to comply with the committee's rules.

My problem is that I believe that a portion of that subpoena is invalid. I have prepared a motion to quash that portion.

I ask the committee by what mechanism I can both comply with its rules and protect my client. That is my problem.

I believe a portion of the subpoena is invalid.

Mr. DOYLE. This is not a court of law. We cannot entertain a motion to quash either all or any part of the subpoena, not being a court of law. And you have recourse to legal procedure in courts of law, as you well know, but not before this committee. We are not a judicial body.

Mr. LEONARD. For the record may I simply say I have here, and I am prepared to tender to the committee, a written motion to quash the subpoena on the grounds that a portion of it at least is invalid.

Mr. DOYLE. You can file it, but we will not rule on it. We will not entertain it; this is a fact investigation under Public Law 601.

Mr. LEONARD. All right.

Then at least I may file it.

Thank you very much.

Mr. ARENS. Grace Partridge. Would you kindly come forward and remain standing while the chairman——

Mrs. PARTRIDGE. I am Mrs. Grace Partridge.

Mr. ARENS. Would you kindly remain standing while the chairman administers the oath to you.

MR. DOYLE. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. PARTRIDGE. I do.

MR. ARENS. Will you identify yourself by name, residence and occupation.

Mrs. PARTRIDGE. I am Grace Partridge, and my address is 942 Hayes Street. And on the occupation I refuse to answer because of grounds set forth in the memorandum by counsel.

MR. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. PARTRIDGE. I am.

MR. ARENS. Are you represented by counsel?

Mrs. PARTRIDGE. I am.

MR. ARENS. Counsel, will you kindly identify yourself on this record.

MR. LEONARD. Norman Leonard, 240 Montgomery Street.

MR. SCHERER. May we move the microphones closer to the witness and counsel?

Closer to counsel and further away from you people.

MR. LEONARD. They asked for this thing. Yesterday the witness was sitting here, but apparently the reporter wants the witness over there.

MR. ARENS. Counsel, did you identify yourself in this record?

MR. LEONARD. Yes, I think I did. I think the reporter has it.

MR. ARENS. Mrs. Partridge, my associate, Mr. Wheeler, will display to you some exhibits or perhaps I can do so by reaching over this desk. The first exhibit is a reproduction of The Lamp of the American Committee for Protection of Foreign Born (December 1950-January 1951).

In this document we see an article with respect to the Northern California Committee for Protection of Foreign Born and its creation.

We have also another photostatic copy of the Lamp of July 1952, in which is set forth the following, to which I invite your attention:

On June 29, the Northern California Committee for Protection of Foreign Born held its first conference in San Francisco. Mrs. Grace Partridge, of San Francisco, is now serving as executive secretary of the committee, which is defending William Heikkila, Nat Yanish, and others against the threat of deportation.

I have also here a photostatic copy of The Lamp of August-September 1952, in which is set forth a designation and identity of yourself, a description or characterization of yourself as executive secretary of the Northern California Committee for Protection of Foreign Born.

Would you kindly look at these documents and tell this committee if you are accurately described as executive secretary of the Northern California Committee for Protection of Foreign Born.

(Documents marked "Exhibit No. 555a, b, see appendix, pp. 8098, 8099.)

(The witness examines documents and confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds set forth in the memorandum and on the fifth amendment.

MR. DOYLE. Mr. Counsel, may I make it clear to the witness and the counsel, if you, madam, referred to the memorandum of your counsel, that memorandum is not being considered by this committee.

MR. LEONARD. I understand, sir.

MR. DOYLE. In your answers, Witness, I want you to realize that when you refer to a memorandum, that memorandum is not officially before this committee.

Mr. LEONARD. I understood it was filed, Congressman Doyle, it was filed as a part of the record. And she is referring to it, saying for the reasons set forth there.

Mr. DOYLE. Just a minute.

Mr. LEONARD. I am sorry.

Mr. DOYLE. I didn't even say it was filed as a part of the record.

Mr. LEONARD. I misunderstood you.

Mr. DOYLE. I said it was filed with the committee.

Mr. ARENS. Mrs. Partridge, I display to you signature cards on the Bank of America, photostatic copies of signature cards for the Northern California Committee for Protection of Foreign Born. And there is a signature appearing here—Grace Partridge, secretary.

And another one: Grace Partridge, of the Northern California Committee for Protection of Foreign Born.

Kindly look at these signature cards and tell this committee while you are under oath, does this signature truly and correctly represent your signature in connection with the bank account of the Northern California Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 556 a, b," see appendix, pp. 8100, 8101.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. The same answer as to previous questions.

Mr. SCHERER. I don't think the record is clear, Mr. Arens, because I don't know whether this witness is still relying on any reasons that she set forth in the memorandum which counsel filed.

If she is relying on those reasons, I think we should be advised because we could not, would not take cognizance of any reasons she sets forth in this memorandum. It might be to her disadvantage to rely on any reasons that she sets forth in that memorandum.

Mrs. PARTRIDGE. Well, I am relying on both the reasons set forth in the memorandum and the fifth amendment.

Mr. SCHERER. Do you honestly feel that if you would answer Mr. Arens' last question that your answer, if truthfully given, might tend to lead to a criminal prosecution?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. Yes.

Mr. SCHERER. You sincerely believe that?

Mrs. PARTRIDGE. Yes.

Mr. ARENS. Now ma'am, I display to you certain checks drawn on the Bank of America on which your signature appears as the maker of the check. And they are checks, as you will observe, of the Northern California Committee for Protection of Foreign Born.

Will you kindly look at the photostatic reproductions of those checks and tell this committee while you are under oath if those checks bear your signature.

(Documents marked "Exhibit No. 557a, b," see appendix, pp. 8102, 8103.)

(The witness examines documents and confers with her counsel.)

Mrs. PARTRIDGE. Same answer.

Mr. SCHERER. I don't think we should make it that short.

Mrs. PARTRIDGE. Well, the fifth amendment, if you want me to say that.

Mr. SCHERER. I think you should say, "I decline to answer, invoking my privilege under the fifth amendment," in refusing to do so.

Mrs. PARTRIDGE. I didn't get everything that you said. What did you say?

Mr. SCHERER. Your counsel will tell you.

Mr. ARENS. Now, I display to you a signature card of the Fifth Annual Southern California Conference To Protect the Rights of Foreign-Born Americans, on which the signature of Grace Partridge appears, and the organization represented is the Northern California Committee for Protection of Foreign Born.

Would you kindly look at that document and verify the authenticity of your signature?

(Documents marked "Exhibit No. 558," see appendix, p. 8104.)

(The witness examines document and confers with her counsel.)

Mr. ARENS. Would you kindly answer the question?

Mrs. PARTRIDGE. I am talking to counsel, which is my privilege, I think.

I decline to answer on the basis of the grounds set forth in the memorandum by counsel, and on the grounds of the fifth amendment.

Mr. ARENS. You are reading now a statement which was just prepared for you by counsel. Is that correct?

Mrs. PARTRIDGE. That is right.

Mr. LEONARD. That is right.

I followed the suggestion of Congressman Scherer that she spell it out rather than say, "Same answer."

Mr. DOYLE. May I make this clear for the last time, witness?

We do not consider and cannot consider nor receive as part of any legal answer your reference to the memorandum because the memorandum is not before this committee as part of the record, and will not be.

(The witness confers with her counsel.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness signs a voucher for her per diem, that part of the voucher bearing her signature be incorporated in the body of the record so there may be a comparison of signatures.

(Document marked "Exhibit No. 559," see appendix, p. 8105.)

(The witness confers with her counsel.)

Mr. DOYLE. It is so ordered.

Mr. ARENS. Now, Mrs. Partridge, the subpoena which was served upon you is known in law as a subpoena duces tecum; namely, one which requires you to produce certain records. The subpoena commands you to produce certain letters passing between the Northern California Committee for Protection of Foreign Born and the American Committee for Protection of Foreign Born relating to efforts to revise various legislative enactments of the Congress, including the Smith Act, the Internal Security Act and the Immigration and Nationality Act.

(The witness confers with her counsel.)

Mr. ARENS. The subpoena also requires you to produce excerpts from minutes of certain meetings.

I now ask you, Are you, or were you, at the time the subpoena duces tecum was served upon you, the custodian of the records called for in the subpoena duces tecum?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you have those records with you today?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be directed to answer that last question.

Mr. DOYLE. Witness, I direct you to answer the last question.

(The witness confers with her counsel.)

Mrs. PARTRIDGE. The same answer. I am sorry—the same answer.

Mr. ARENS. Where were you when this subpoena was served upon you?

Mr. DOYLE. Just a minute. Let's make the record clear, in view of Mr. Scherer's request, that the witness, instead of using the language "same answer," refer to her constitutional privilege.

Mrs. PARTRIDGE. On the grounds of the fifth amendment.

Mr. SCHERER. The question was whether or not she has those records with her. How could it possibly incriminate her to tell us whether she does or does not have those records with her?

It seems to me the witness is certainly invoking the fifth amendment to that question in bad faith because that merely requires a yes or no answer. Either she has them or doesn't have them. Certainly it couldn't incriminate the witness to say whether she does or doesn't. I think, if the witness refuses to answer that question, invoking the fifth amendment, it is obvious on its face she is invoking it improperly, and she might subject herself to possible contempt proceedings before the Congress.

Mr. LEONARD. If the rules of the committee permit it, I would state the theory on which I have advised her that I think that is an incriminating question.

Mr. SCHERER. You can tell her. Your advice may be different. But the courts enjoin upon us the duty of explaining to a witness why we do not accept her answer before we can, if we see fit, eventually start proceedings for contempt. It is a duty enjoined upon us to say what I said by certain decisions of our courts.

(The witness confers with her counsel.)

Mr. SCHERER. You may disagree, and I respect your difference of opinion as to what the law is. And you may be right. But I have a duty to make that statement to the witness when she answers the question or refuses to answer a question such as Mr. Arens asked her.

Mr. DOYLE. I think the record shows, does it not, that I have instructed her, as chairman, to answer that question?

(The witness confers with her counsel.)

Mr. SCHERER. Yes; it does.

Mr. VELDE. Yes; I am sure it does.

Mr. ARENS. Now, Mr. Chairman, in view of the status of this record at the present time, I respectfully suggest that there be incorporated now in the record a copy of the subpoena duces tecum and that this witness now be ordered and directed to forthwith produce the documents called for in the subpoena duces tecum.

(Document marked "Exhibit No. 560a, b," see appendix, pp. 8106, 8107.)

Mr. DOYLE. It will be ordered that the subpoena be incorporated in the record and made a part of it. And, I now order and direct you to produce each and every document specified in that subpoena.

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I will not comply with the directions for the reasons previously stated.

Mr. ARENS. Now, ma'am, I want to exhibit to you a photostatic copy of a document that has come into the possession of the committee in appropriate course, the Communist Party appointment of members of the State central committee, meeting in Sacramento in the year 1940.

This is an affidavit signed by Walter Lambert with reference to the appointment of the State Central Committee of the Communist Party. The three members of the State Central Committee so appointed, according to this document which is a Communist publication, include Grace Partridge, 22 Walter Street, San Francisco.

Kindly look at that document and tell this committee now, while you are under oath, whether or not you were at the time specified in that document of a member of the State Central Committee of the Communist Party of California.

(Document marked "Exhibit No. 561," see appendix, p. 8108.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. SCHERER. What was the date of that publication you just handed the witness, Counsel?

Mr. ARENS. 1940.

I lay before you three different documents all bearing your signature, in which you identify yourself as a Communist for the purpose of primary elections to be held at the time specified in these documents in the State of California.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. ARENS. Kindly look at these documents which are displayed to you, and while you are under oath would you be good enough to verify the authenticity of those signatures appearing on the photostatic copy of those documents?

(Document marked "Exhibit No. 562a-c," see appendix, pp. 8109-8111.)

(The witness examines documents and confers with her counsel.)

Mr. SCHERER. Mr. Wheeler, could I see that other exhibit which deals with the membership of this witness in the Communist Party?

Mrs. PARTRIDGE. I refuse to answer on the fifth amendment.

Mr. ARENS. I display to you a copy of the Daily People's World in which an article appears commending you for your very fine work in raising money for the Twin Peaks Club of the Communist Party. This article appears under date of Thursday, September 19, 1946. I should like to read just a part of it so that the context is clear:

The Twin Peaks Club, whose \$1,500 quota is the largest of any neighborhood branch, has had only 15 members active in the drive. And yet, due to the fine work of individual members like Decca Treuhaft, county financial director of the Communist Party; Grace Partridge and Edith Jenkins, this club has succeeded in raising a total of \$855.25, of which \$63 is in subs.

Would you kindly look at this article in the Daily People's World which I am now displaying to you, and tell us whether or not your activities on behalf of the club of the Communist conspiracy are accurately described.

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. I have an article from the Daily People's World of April 30, 1952.

NONCITIZEN AID GROUP EXPANDED

SAN FRANCISCO, April 29.—Faced with deportation threats aimed at two San Francisco progressive leaders—Ida Rothstein and William Heikkila, the Northern California Committee for Protection of the Foreign Born today announced steps to prepare for all-out defense of these and other deportation victims.

Grace Partridge, active in San Francisco progressive activities for the last 15 years, takes over as executive secretary of the committee on a full-time basis.

And so forth.

When this Daily People's World alludes to you as active in progressive activities for the last 15 years do they really mean active in the work of the Communist conspiracy in this area?

(Document marked "Exhibit No. 563," see appendix, p. 8112.)

(The witness examines document and confers with her counsel.)

Mr. SCHERER. That article indicates she took over, Mr. Counsel, as executive secretary of what organization?

Mr. ARENS. Northern California Committee for Protection of Foreign Born.

Mr. DOYLE. I think it said on a full-time basis.

Mr. ARENS. Yes. Previously the identification has been in a sort of interim status.

Mr. DOYLE. That would mean a full-time salary.

Mr. SCHERER. What was the date that she took over?

Mrs. PARTRIDGE. I refuse to answer on the fifth amendment.

Mr. SCHERER. What was the date that she took over?

Mr. ARENS. April, 1952.

Mr. SCHERER. Let me ask you, witness, when you took over as executive secretary of the Committee for Protection of Foreign Born did you disclose to the other leaders of that committee the fact that you were a member of the Communist Party?

Mrs. PARTRIDGE. The fifth amendment. I refuse to answer.

Mr. SCHERER. Did they know that you were a member of the Communist Party?

Mrs. PARTRIDGE. I refuse to answer on the fifth amendment.

Mr. ARENS. I have an article here which indicates that you were promoted from executive secretary to the president or chairman of this committee. I am a little bit uncertain about that. Perhaps you can help this Committee on Un-American Activities and tell us about it.

According to the Daily People's World of April 16, 1953—I will display the article to you in just a moment:

A delegation sponsored by the Committee for the Protection of the Foreign Born today demanded freedom on bail for Nat Yanish, jailed under what it called "unconstitutional" provisions of the Walter-McCarran Immigration Act.

In the course of this article the following appears:

Grace Partridge, Foreign Born Committee chairman, accompanied this delegation.

I am interposing a comment or two.

Grace Partridge, Foreign Born Committee chairman, is one of those who accompanied the delegation.

Kindly look at that and tell us if you received a promotion about that time from executive secretary to chairman.

(Document marked "Exhibit No. 564," see appendix, pp. 8112, 8113.)

(The witness examines document and confers with her counsel.)

(Representative Harold H. Velde returned to the hearing room at this point.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. SCHERER. Before we go further I would like to inquire, who was the person on whose behalf they were seeking to stop deportation?

Mr. ARENS. Nat Yanish who, according to the article, was jailed under the "unconstitutional" provisions of the Walter-McCarran Act, the unconstitutional provisions, of course, being provisions with reference to Communists.

Mr. SCHERER. As I recall, Yanish was a Communist and was being deported for Communist Party activities.

Mr. ARENS. That is correct.

Mr. SCHERER. He was an alien.

Mr. ARENS. Now I want to invite your attention to some of the activities and positions of the Northern California Committee for Protection of Foreign Born and certain quotes by its executive secretary as reported in the Daily People's World of Tuesday, July 27, 1954:

The Northern California Committee for Protection of Foreign Born today praised the Daily People's World as "of invaluable help" to its work and urged its friends to help the paper's sustaining fund drive.

Here is the text of the committee statement, signed by Mrs. Grace Partridge, executive secretary:

"The Daily People's World has given constant political leadership to the struggle against the Walter-McCarran Law. It has stood firm against the persecution and harassment of the foreign born of America. It has been of invaluable help to our Northern California Committee."

And so forth.

Kindly look at this document and while you are looking at it tell the Committee on Un-American Activities if it is not a fact that the foreign born who, according to the Northern California Committee for Protection of Foreign Born, were being persecuted and harassed under the McCarran-Walter Act, were, to your certain knowledge, members of the Communist conspiracy who were being routed under the provisions of the McCarran-Walter Act.

(Document marked "Exhibit No. 565," see appendix, p. 8114.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. SCHERER. Mrs. Partridge, could you tell us of just one case where your Committee for Protection of Foreign Born has defended an alien who was deported, or in the process of being deported, for any offense other than that of being an active Communist?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. Yes; I would be glad to tell you.

I had the occasion not so long ago, in the past month, to be called to the Vacaville Prison because some inmate up there had gotten the address of the committee. And I had never seen the man or had never heard of the man before. He was up in this institution because he had left the county hospital on account of having TB. He

was arrested and given a 6-month sentence for that offense. And he was up there for deportation because he had presented an alien registration card, and they arrested him because he was an alien, and not any other reason. He was up there in Vacaville.

Our committee defended him, and we succeeded in getting his record expunged, part of his record expunged. The case is not finished. But we will finish the case. And the man was not a Communist, and he had never seen us in his life, if that will satisfy you.

Mr. SCHERER. Do you know of any other case?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. And I refuse to answer any other questions on the grounds of the fifth amendment.

Mr. ARENS. What committee is this? You said, "our committee."

Mr. SCHERER. Wait a minute.

I asked if she knew any other cases.

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer that question on the grounds of the fifth amendment.

Mr. SCHERER. Out of all of the cases, you have cited just one where you had a request from an individual.

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I just refuse to answer any other questions on the grounds of the fifth amendment.

Mr. ARENS. What is this committee you are talking about? You said "our committee." You wouldn't tell us about that a little earlier. What is our committee?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest—

Mr. DOYLE. I instruct you to answer that question.

You volunteered that "our committee" had done so and so. To what committee did you refer?

Mrs. PARTRIDGE. The same answer on the grounds of the fifth amendment.

Mr. DOYLE. Is it clear that I have instructed you to answer that question?

Mrs. PARTRIDGE. Very clear.

Mr. DOYLE. All right.

Mr. ARENS. You have also been active in promoting peace, have you not, ma'am?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. Yes.

Mr. ARENS. Now would you just tell us whether or not your promotion of peace was a phony promotion of peace through Communist organizations, or was it a legitimate, bona fide promotion of peace?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. On the fifth amendment I won't answer that now.

Mr. ARENS. Let's just see if this is part of the way you have been promoting peace.

I have here a document, "We Pledge Peace, a Friendship Book," all issued by the American Russian Institute of San Francisco, in which a number of people make their little contribution to this booklet

with respect to their promotions of peace. We see here one of the promoters of peace is Grace Partridge, executive secretary of the Northern California Committee for Protection of Foreign Born in San Francisco.

There is an article here telling all about the fact that they know what is going on in the Soviet Union—that they have facts available for people, understanding, friendship, trade and peace.

Please look at this document and tell this Committee on Un-American Activities while you are under oath whether or not your promotion of peace that you spoke about is the promotional activities evidenced in that booklet.

(Document retained in Committee files.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Mrs. Partridge, we want to invite your attention to a call to a conference, signed by Grace Partridge, executive secretary of the Northern California Committee for Protection of Foreign Born.

The call to the conference seriously condemns J. Edgar Hoover because of use of what is called here "lying stool pigeons." It seriously attacks the movement of this Government to deport a number of Communists. It calls for the repeal of the Walter-McCarran law. It condemns the framers by our Government of progressive Americans and trade unionists.

Will you look at this document and tell us whether or not it is a stool pigeon document when it bears your signature as the executive secretary of the Northern California Committee for Protection of Foreign Born who is doing all these things.

(Document marked "Exhibit No. 566," see appendix, p. 8115.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. I don't really understand what you want—what you ask.

Mr. ARENS. I just want you to tell us, Did you sign that document? Are you the promoter of that conference?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. Then I refuse to answer on the grounds of the fifth amendment.

Mr. VELDE. What is the date of that document?

Mr. ARENS. It is an——

Mr. VELDE. I asked you what the date of the document is.

Mrs. PARTRIDGE. He will tell you.

Mr. ARENS. It is an undated document.

Mr. VELDE. When was the meeting called for then?

Mr. ARENS. It makes reference to a conference which, according to the document, is to be held in San Francisco March 5. The year does not appear.

Mr. VELDE. You could tell us that; couldn't you?

Mr. SCHIERER. She could, but she won't.

(The witness confers with her counsel.)

Mr. VELDE. Can you tell us the date of the proposed meeting?

(The witness confers with her counsel.)

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. Now we have a final document which we would like to invite to your attention. It is the Sixth Annual Conference To Repeal the Walter-McCarran Law and Defend Its Victims.

We have displayed this document to a number of people in the course of the several cities in which we have been, a number of people who were participants, and we want to give you an opportunity to look at it.

This sixth annual conference, according to this document, has as one of the leaders, Grace Partridge, executive secretary of the Northern California Committee for Protection of Foreign Born, a fraternal delegate.

Kindly look at this document and tell us whether or not you were the participant or leader in that sixth annual conference.

(See exhibit No. 102a, appendix, p. 7273.)

(The witness examines document and confers with her counsel.)

Mrs. PARTRIDGE. The same answer on the grounds of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. VELDE. No questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I don't believe, Counsel, you asked the witness whether at this moment she is a member of the Communist Party.

Are you a member of the Communist Party today, madam?

Mrs. PARTRIDGE. I refuse to answer on the grounds of the fifth amendment.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I notice this exhibit, referring to a conference Saturday, March 5, without any year indicated, also includes this statement, apparently over the signature of Grace Partridge, executive secretary, the witness before us. This is a mimeographed copy apparently of the original signature, if she signed the original. This is what it says, among other things:

Abner Green from New York will be present to report on national developments in the struggles to defend the rights of foreign-born Americans.

Who, according to our record, was Abner Green, Mr. Scherer?

Mr. SCHERER. One of the most notorious Communists in the world.

And also in this same document signed by the witness she attacks the United States for its attempt to deport Harry Bridges.

Mr. DOYLE. I see on these two checks which have been presented, drawn on the Bank of America, apparently by the Northern California Committee for Protection of Foreign Born, 948 Market St., Room 417, San Francisco, one being dated October 5, 1956, one of the signatures appears to be Grace Partridge, and the other one, dated later, also appears to be signed by Grace Partridge.

I call attention of the committee to this fact, that apparently, therefore, the same procedure is followed here by this Northern Committee for Protection of Foreign Born that was followed in Los Angeles—that the sponsors of that committee, at that date were employing and paying out of funds, which they received from the public by way of contribution for the protection of foreign born—salaries to an executive secretary or chairman who, as far as the record goes, was a Communist, a member of the Communist Party. I think that is clearly what the record shows.

So I just wish to state to the sponsors of the committee in San Francisco, the same as I did in Los Angeles, that the contributing San Francisco and Bay area public to the Northern California Committee for Protection of Foreign Born should know that when they contribute money to this committee that the person who controls the bank account of the organization is identified before this committee, and even in a public record at the State capitol, as a member of the State Committee of the Communist Party. If that is the way they want their money to be spent they can do it with their eyes open.

But the Communist Party here, the same as it was in Los Angeles, is apparently controlling the finances and policy of the American Committee for Foreign Born in northern California.

Mr. SCHERER. It is not only true of Los Angeles; it is generally true of these committees throughout the United States.

Mr. DOYLE. That is right.

Let's see who the American Committee for Protection of Foreign Born is, which has been referred to by counsel.

I have here the Guide to Subversive Organizations and Publications, published by the 82d Congress, House Document 137, Page 13 thereof. And this is the parent committee, as I understand it, of the Northern California Committee for Protection of Foreign Born and also the Southern California Committee for Protection of Foreign Born or alleged protection of the foreign born.

Here is what I read:

American Committee for Protection of Foreign Born.

1. Cited as subversive and Communist. (Attorney General Tom Clark, letters to Loyalty Review Board, released June 1, 1948, and September 21, 1948.)

2. "One of the oldest auxiliaries of the Communist Party in the United States." (Special Committee on Un-American Activities, Report, March 29, 1944, p. 155; also cited in Report, June 25, 1942, p. 13.)

3. "Among the Communist-front organizations for racial agitation" which also serve as "money-collecting media" and "as special political organizing centers for the racial minority they pretend to champion." "Works closely with the International Labor Defense, legal arm of the Communist Party, in defense of foreign-born Communists and sympathizers." (California Committee on Un-American Activities, Reports, 1947, p. 45; 1948, p. 113.)

So again we discover that when Congress is petitioned, if it is, by either the Northern or Southern California Committee for Protection of Foreign Born in those names it is, in fact, being petitioned secretly and in undisclosed manner and method by the Communist Party in the State of California, and not by anyone else, but by the Commies in California.

Again I wish to say that Congress must know certainly, for the protection of the American public, whose petitions they are listening to and whose petitions are being acted upon.

We do not object to the Communist Party in California or any place else petitioning Congress, but we do feel that in the interest of fair, intelligent legislation we are entitled to know in Congress who it is we are dealing with at all times. And that is one purpose of this hearing.

Mr. LEONARD. Mrs. Partridge is excused?

Mr. DOYLE. Yes.

Mr. LEONARD. Thank you.

Mr. ARENS. Mr. Louis Goldblatt.

Kindly remain standing while the chairman administers an oath to you.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOLDBLATT. I do.

**TESTIMONY OF LOUIS GOLDBLATT, ACCOMPANIED BY COUNSEL,
GEORGE R. ANDERSEN**

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. GOLDBLATT. My name is Louis Goldblatt. I live in Mill Valley. I am secretary treasurer of the International Longshoremen's and Warehousemen's Union.

Mr. ARENS. You are appearing today, Mr. Goldblatt, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. GOLDBLATT. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. GOLDBLATT. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. ANDERSEN. My name is George R. Andersen.

Mr. ARENS. Mr. Goldblatt, have you ever been known by any name other than the name Louis Goldblatt?

(The witness confers with his counsel.)

Mr. GOLDBLATT. I decline to answer that question on the grounds accorded me by the fifth amendment.

Mr. ARENS. Mr. Goldblatt, I want to read you a little testimony that was given under oath before the House Committee on Un-American Activities by a man by the name of Louis Rosser, who laid his liberty on the line December 1, 1953. Here is the testimony, or an excerpt of the testimony:

A. Well, in my work in the Young Communist League during this period we followed the lines laid down by the Communist Party because the Communist Party directed the Young Communist League, and, besides distributing the Why Communism? we put out a pamphlet, the State committee of the Young Communist League, called Young Communists in Action, and this pamphlet—

Q. When was this?

A. This was in 1934. This pamphlet was written by a very intelligent, educated young Communist named Lew Miller.

Q. Was that Lewis, L-e-w-i-s?

A. Yes, Lewis Miller. That was his party and Young Communist League name. His real name is Louis Goldblatt. He is now the secretary-treasurer of the International Longshoremen's and Warehousemen's Union.

(The witness confers with his counsel.)

Mr. ARENS. Was Mr. Louis Rosser lying or was he telling the truth with respect to yourself in this sworn testimony before the House Committee on Un-American Activities in 1953?

(The witness confers with his counsel.)

Mr. ANDERSEN. Let me see the whole statement, will you.

(Document handed to counsel for the witness.)

Mr. ARENS. Counsel, page 3094, the bottom of the page.

Mr. ANDERSEN. Where does the testimony begin?

Mr. ARENS. The bottom of the page where your finger is.

Mr. ANDERSEN. Is that where it begins?

Mr. ARENS. That is where the allusion begins with reference to Mr. Goldblatt.

(The witness examines document and confers with his counsel.)

Mr. GOLDBLATT. What was the question?

Mr. ARENS. Read the question back, please, to the witness.

(The pending question was read by the reporter.)

Mr. GOLDBLATT. I decline to answer that question on the grounds provided by the fifth amendment.

Mr. ARENS. Do you know Louis Rosser or have you ever known him?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Have you ever been known by the name of Lew Miller?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now I want to display to you a little book written by yourself under the name of Lewis Miller——

Mr. GOLDBLATT. I don't like the presumptions here. Don't you make any statement along that line. I have given you an answer to your question.

Mr. ARENS. Mr. Chairman, this record reflects that this man has been identified under oath——

Mr. GOLDBLATT. But you are making certain statements now that I don't like one damn bit.

Mr. ARENS. This man has been identified under oath——

Mr. SCHERER. I think the witness should be admonished——

Mr. GOLDBLATT. Why don't you admonish your counsel first?

Mr. DOYLE. Just a minute, Mr. Goldblatt. I admonish you to observe the rules of the committee and decorum of the committee and answer the questions when you are asked them.

Mr. SCHERER. I think the record should disclose that the witness yelled in a loud contemptuous voice.

Mr. GOLDBLATT. I would like to ask that the record also show that this counsel is behaving himself in a contemptible manner.

Mr. DOYLE. The record will not show anything of the kind because he hasn't been. He is just——

Mr. GOLDBLATT. That is merely your conclusion, Mr. Congressman. My rights are as good as yours around here.

Mr. DOYLE. That is right.

Mr. ARENS. Mr. Chairman, I respectfully suggest, for the attention of the committee, that a man has identified this witness under oath as Lewis Miller.

I am now displaying to this witness a booklet written by——

Mr. GOLDBLATT. Don't throw anything at me. If you want to throw something at me, hand it.

Mr. ARENS. Now, Mr. Chairman, I want to again display to this witness a booklet written by him: Young Communists in Action. And I want to invite his attention to certain language. "Young Communists in Action, compiled by: Lewis Miller."

(Document marked "Exhibit No. 567," see appendix, pp. 8116-8132.)

I want you to read certain excerpts from this booklet, and see if this witness will be good enough to confirm for the committee his authorship.

(The witness confers with his counsel.)

Mr. ARENS (reading) :

Today the Soviet Union stands out like a beacon light in a world of chaos and crisis. It is the only country in the world where the future holds promise for the youth. * * * Unemployment and starvation do not exist, and cannot exist in the Soviet Union.

* * * we in the United States, under the leadership of the Communist Party and the Young Communist League [shall] overthrow capitalism and build a workers' and farmers' government—A SOVIET AMERICA!"

Mr. Witness, did you write these words I just read?

Mr. GOLDBLATT. I decline to answer under the grounds accorded me under the fifth amendment.

Mr. ARENS. Now I would like to read still another little excerpt from page 6 of this booklet.

Mr. DOYLE. What year was that written, please?

Mr. ARENS. Could you tell us what year you wrote that booklet, please, Mr. Witness? You have the original booklet there.

(Document handed to the witness.)

Mr. ARENS. Now I want to again invite your attention to a little excerpt on page 6 of this booklet written by you:

* * * it is necessary to explain the nature of capitalist governments. Many workers are under the illusion that the present government is their government. Exactly the opposite is true.

I want to direct your attention to a little excerpt on page 7:

The working class must, therefore, form its own political party for the purpose of destroying the capitalist state and setting up in its place a workers' and farmers' government.

Then I want to invite your attention to a little excerpt beginning on page 8:

The Young Communist League is a political organization. It is an organization that trains the working class and student youth for struggle. * * *

The Young Communist League is part of the Communist movement as a whole.

Did you write those words, please, Mr. Goldblatt?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now on page 9 we see, among other language, the following:

Also, that its main job—

that is, the Young Communist League's main job—

is to win the masses of youth to the leadership of the Communist Party in the struggle to overthrow capitalism and set up a workers' and farmers' government.

Did you write those words, Mr. Goldblatt?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now we see here the reference to still further language:

In consequence, they are making every effort to overcome their individual differences in order to launch a combined attack against the workers' fatherland.

This is with reference to the capitalistic countries.

We must explain to the workers the peace policy of the Soviet Union * * *. The U. S. S. R. is not interested in securing colonies or conquering foreign markets.

Now I would like to invite your attention to a little excerpt on page 12 of this booklet written by you:

In this light we—

Mr. GOLDBLATT. I have told you before, Mr. Counsel, I don't like those assumptions.

Mr. ARENS. Then deny it while you are under oath. Did you write this booklet?

Mr. GOLDBLATT. You have had an answer to your questions. Your assumptions here are just cheap publicity plays on your part. You are a little two-bit publicity hound. That's all you are.

Mr. ARENS. We are used to this sort of thing. We have been up against fellows so tough they make you look like a cream puff.

Mr. GOLDBLATT. And we have been up against characters like you before, and we have taken good care of them.

Mr. DOYLE. I am glad there aren't many characters like you in the country writing that sort of stuff, attacking the constitutional form of government.

Mr. GOLDBLATT. Mr. Doyle, you are doing the same thing as your counsel is doing. You are making certain assumptions. You have got no right to do so. There happens to be a—

Mr. VELDE. I think our security with the position he holds in the union—

Mr. ARENS. I would like to invite your attention to some more language in this.

Mr. ANDERSEN. When three of you talk at one time I can only listen to one. I suggest we stop and start over.

Mr. ARENS. Counsel, you should be admonished; your sole and exclusive prerogative is to advise your witness.

Mr. ANDERSEN. I have to listen to it.

Mr. ARENS (reading):

In this light we can understand how the Soviet peace policy is a revolutionary international policy—and can see the significance of the slogan, "Defend the Soviet Union."

Here is a little excerpt I would like to invite your attention to, particularly in view of the military action of the Soviet Union in the course of the last few weeks:

Only through militant struggle can we prevent the introduction of fascism. The Young Communist League drill and defense squads have been formed to help fight this menace. The defense squads are to protect meetings and demonstrations.

Mr. ANDERSEN. What page are you reading from?

Mr. ARENS. I am reading from page 12 of the work of this witness.

The defense squads are to protect meetings and demonstrations, prevent the raiding of workers' clubs and headquarters by Fascist gangs, and to organize the workers for self-defense. We must be alert to sense, report, and conduct active campaigns against every Fascist step, and give our full support to building the American League Against War and Fascism.

Did you write those words, please, Mr. Goldblatt?

Mr. GOLDBLATT. Same answer. And I would like to ask that both counsel and Congressman Doyle accord me the presumption of innocence of any individual who desires to take the fifth amendment, and not to reach arbitrary conclusions in your own minds.

Mr. ARENS. Then why don't you, while you are under oath, deny that you are the author of this booklet? We have testimony here by a man under oath who puts his liberty on the line that you did write it and that you were known as Lew Miller.

(The witness confers with his counsel.)

Mr. GOLDBLATT. That is a—paid professional perjurers of government never put their liberty on the line when they testify.

Mr. SCHERER. Just a minute. Do you say that Rosser perjured himself? Did you say that?

Mr. GOLDBLATT. I made a certain statement because I have seen dozens of perjurers used against the president of this union, used against us time and time again. I have seen them trapped in perjury, caught in perjury, perjury proven against them, and never a single action taken against them.

Mr. SCHERER. I ask that you direct the witness to answer the question whether he said Rosser perjured himself.

Mr. GOLDBLATT. I did not say that.

Mr. SCHERER. All right.

Mr. ARENS. You won't say it while you are under oath.

Mr. GOLDBLATT. I will say once again I have never seen a single paid perjurer appearing in trials against President Bridges and against our union ever prosecuted by the FBI and the United States.

Mr. ARENS. Tell us was Rosser lying or was he telling the truth? Was he one of these paid perjurers?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. When he said he knew you as a member of the international Communist conspiracy as author of this work?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now I would like to invite your attention to page 26 of this publication by yourself:

One further step is necessary to know the structure of the Young Communist League. This is to understand the international connection of the Young Communist Leagues throughout the world—the unification that is completed through the Young Communist International. Inasmuch as capitalism is not confined to one country, but spreads its tentacles over five-sixths of the earth's surface, it is necessary that communism be organized on a worldwide scale in order to combat it. The international solidarity of all workers is absolutely necessary if we are to conduct our struggle against war and fascism, and for the defense of the Soviet Union.

Now, while you are under oath, did you write that language?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. I put it to you as a fact, sir, on the basis of the sworn testimony before this committee, and ask you to affirm or deny the fact that you did write those words.

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now we want to continue with a little of your treatise here on page 27.

Mr. GOLDBLATT. The same statement that I made before to you, too.

Mr. ARENS. Thank you, sir.

As we have said, the Young Communist International is composed of the Young Communist Leagues throughout the world. The highest body of the YCL is the World Congress. The World Congress is made up of delegates from the various leagues, and has as its job the planning of our tactics and work on a worldwide scale. Its decisions are binding on all the Young Communist Leagues, and the executive committee of the YCL, elected at the World Congress, is the body chosen to carry out the plan of work.

I want to invite your attention still to another little excerpt from the treaties on page, I believe it is, 29.

Let me just be sure so we don't have any inaccuracies here.

Yes, page 29.

Changes will take place very rapidly within the near future—and, unless we have a solid, disciplined organization——

Mr. ANDERSEN. What page did you say?

Mr. ARENS. Page 29, counsel, of his work here; about the middle of the page I am reading now.

Mr. GOLDBLATT. Same statement.

Mr. ARENS (reading):

Changes will take place very rapidly within the near future—and, unless we have a solid, disciplined organization we will not be able to react to these changes and fulfill our revolutionary duties.

May I ask you what were these revolutionary duties?

Mr. ANDERSEN. Aren't you reading from something else? I don't see it on page 29 of this book.

Mr. ARENS. Page 29, counsel, beginning right in the middle of the page right here.

Mr. ANDERSEN. You are looking at a different page. This is page 29 [handing]. Will you point it out to me?

Mr. ARENS. See if you can find this page. There was a little difficulty in identifying the page number at the bottom of the page.

Mr. ANDERSEN. There is a lot of difficulty attendant on all of these things.

Mr. ARENS. I respectfully suggest that counsel again be admonished that his sole and exclusive function is to advise his witness of his constitutional rights.

Mr. ANDERSEN. I am trying to help.

Mr. ARENS. Mr. Chairman, I respectfully suggest he be so admonished.

Mr. ANDERSEN. 28.

Mr. GOLDBLATT. You are scared to death of anybody talking up here now.

Mr. ARENS. Why don't you talk up then and tell us whether or not you——

Mr. GOLDBLATT. I have.

Mr. ARENS. Whether or not you did write this article. We would like to have you tell us. We don't want to impede your conversation at all. Tell this committee while you are under oath——

Mr. GOLDBLATT. You have had clear answers to your questions.

Mr. ARENS. Give us a clear answer. Are you the author of this article? Did you write the language in it?

Mr. GOLDBLATT. The same answer. And that is perfectly clear.

Mr. ARENS. Now, counsel, have you found it?

Mr. ANDERSEN. I have found it, but I don't know where you are reading.

Mr. ARENS. I will start over again, counsel, to accommodate you:

Changes will take place very rapidly within the near future—and, unless we have a solid, disciplined organization we will not be able to react to these changes and fulfill our revolutionary duties.

Do you see that language, counsel?

Mr. ANDERSEN. I have my reading glasses on. I wish you would point it out to me. I don't believe it is on the page. It wasn't on page 29, and it wasn't on 28. I don't see it.

Mr. ARENS. We will underline the first word for you, counsel, right there. There it is. Do you see the word underlined? I will read it once more:

Changes will take place very rapidly within the near future—and, unless we have a solid, disciplined organization we will not be able to react to these changes and fulfill our revolutionary duties.

Did you see that, counsel, there? Do you follow me now?

Mr. ANDERSEN. Yes, I read you.

Mr. ARENS. Thank you.

Now, Mr. Goldblatt, kindly tell the committee while you are under oath about these revolutionary duties.

Mr. GOLDBLATT. Same answer.

Mr. ARENS. We are not afraid of your conversation. You come ahead. You said we were afraid of it. We would like to have you talk and tell us about these revolutionary duties.

Mr. GOLDBLATT. There are so many things I would love to talk to you about.

Mr. ARENS. Tell us about these revolutionary duties. We would like to have you do so.

In the very next sentence we find this:

After all, there are 120 million people in the country, and the party has only 25,000 members, and the league around 7,000.

Did you write all that, Mr. Goldblatt?

Mr. GOLDBLATT. Same answer.

Mr. ARENS. Now I want to ask you about these major industries, telling here about how these 25,000 can be the most effective.

And, if I misquote you, you be sure and check me and tell me you didn't write that.

Mr. GOLDBLATT. Same statement, too.

Mr. ARENS. Thank you, sir.

First of all—

This is all on the same page, Counsel, so you can follow me.

First of all, we must take into consideration the fact that our membership is not large. Secondly, that there are key industries and certain key factories in these industries. The major industries are mine, steel, auto, textile, agriculture, oil, railroads, and marine. These industries are the nerve centers of capitalism. Consequently, our main activities must be around these key points.

That is pretty clear, isn't it, Mr. Goldblatt? And did you care to elaborate on that and come forward with a further statement on that? Or are you still a little bashful about commenting on this book.

(The witness confers with his counsel.)

Mr. GOLDBLATT. Mr. Doyle, I may have sounded a little bit irritated here because I am accustomed to being treated as an American citizen, not badgered and not baited, and no little phony counsel using sarcasm in his voice in order to try to make an impression on the press. I insist upon dignity being accorded me here.

Mr. SCHERER. I move the witness be ejected from the courtroom. He has been warned.

Mr. Marshal—

Mr. GOLDBLATT. I wouldn't put it past you.

That's all right. I'll walk. You're all right.

(Whereupon, the witness was escorted from the hearing room.)

Mr. SCHERER. I move we continue reading into the record and not be prohibited from conducting this hearing in a——

Mr. DOYLE. Just a minute, Mr. Goldblatt.

Mr. SCHERER. Now, Mr. Chairman, the witness has prevented an orderly, decent hearing, and has consistently attacked counsel of this committee. He has been in contempt of this committee.

In view of his conduct, I ask that the counsel proceed to read into the record the rest of the material he has.

Mr. DOYLE. Very well, it will be so ordered.

Mr. ARENS. Mr. Chairman, if you please, sir, I will submit for the record then exhibits which are self-authenticating.

If you please, sir, the first exhibit which I should submit for the record, which is self-authenticating, is a copy——

Mr. Chairman, may we have order. There is conversation all over the room here.

Mr. DOYLE. Let us have order and proceed with the hearings.

Mr. ARENS. The next exhibit which is self-authenticating with reference to this witness is a copy of the Communist Daily People's World, September 22, 1949, bearing the name of Louis Goldblatt as one of the persons who is protesting the trial of the twelve Communists in Foley Square.

(Document marked "Exhibit No. 568," see appendix, p. 8133.)

Mr. SCHERER. Mr. Chairman, I move we have a 5-minute recess.

Mr. DOYLE. Very well.

The committee will stand in recess for 5 minutes.

(Whereupon a short recess was taken. Committee members present: Representatives Doyle, Velde, and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle, Velde, and Scherer.)

Mr. DOYLE. Are you ready, counsel?

Mr. ARENS. Yes, sir.

Mr. SCHERER. Before we proceed, I think I should say this:

There are those in this country who feel that the Communist menace is not a present danger, that there are so few Communists that there is no danger to the internal security of this Nation. I think the testimony and the conduct of the witness who just was ejected from the hearing room clearly demonstrates that these people are wrong. Here you have a Communist who acted and testified the way he did, who practically controls the shipping of this country on the entire west coast.

I have no further comment.

Mr. DOYLE. Not only that, Mr. Scherer, but unless we assume that Mr. Rosser was a perjurer when he testified as he did, from the testimony Mr. Arens read, when he identified this witness Goldblatt at the time the book was written as the one who has been using the name Miller, unless we assume that this man was a perjurer under oath—I mean Mr. Rosser—then I think it is a fair assumption for us to make that the Miller that wrote the book attacking the United States and our system of government as read by our counsel was one and the same as the present Goldblatt who was ejected from the room.

Mr. SCHERER. There can be no question about that.

Mr. DOYLE. We certainly gave him a chance to answer that.

Now I want to take, while we are getting quiet, just a few seconds to read one paragraph—and I wish I had time to read more—from a decision in the case of *Quinn v. United States*, in the Supreme Court of the United States, October term, 1954. And this again, I think, is apropos especially in view of the attack on this committee by the ACLU in the Chronicle the other day.

I quote:

There can be no doubt as to the power of Congress, by itself or through its committees, to investigate matters and conditions relating to contemplated legislation. This power, deeply rooted in American and English institutions, is indeed coextensive with the power to legislate. Without the power to investigate—including, of course, the authority to compel testimony either through its own processes or through judicial trial—Congress could be seriously handicapped in its efforts to exercise its constitutional function wisely and effectively.

But the power to investigate—

I am deliberately reading this next statement by our highest court so that no critic of the committee can say that I have only read the most favorable portion of the decision. So, as a lawyer, I am deliberately reading this paragraph. I am deliberately anticipating what the critics of this committee would say if I didn't read this next paragraph. This committee heartily agrees with this next paragraph the same as we did the one we just read.

I read again from the same decision:

But the power to investigate, broad as it may be, is also subject to recognized limitations. It cannot be used to inquire into private affairs unrelated to a valid legislative purpose. Nor does it extend to an area in which Congress is forbidden to legislate.

Mr. SCHERER. I am just wondering whether the American Civil Liberties Union will now take a position or comment on the conduct of the last witness, and whether it will attempt to defend the civil rights of the duly elected representatives of the people and of the counsel to this committee since they have been attacked by this Communist who just left the stand. As usual, I think they will be strangely silent.

Mr. LAWRENCE SPEISER. Could I comment?

Mr. DOYLE. I invite that committee to print some portion at least of the article by Mr. Goldblatt under the name of Miller, I assume, from the testimony.

I ask that committee to print just the kernel of that to inform the American public and the people who support that committee, of the attack he made on our constitutional government.

Mr. SCHERER. I would like to see the American Civil Liberties Union, after due consideration, comment particularly for the benefit of the press which has witnessed this exhibition this morning, on the testimony and conduct of this witness before a congressional committee and his attack upon counsel of this committee.

Mr. VELDE. Mr. Chairman, may I make just one observation?

I think it should be in the record that it is the unanimous opinion of the three of us here on the subcommittee that our counsel, Mr. Arens, conducted himself in good fashion all during the hearing of the witness Louis Goldblatt, alias Lew Miller.

Mr. SCHERER. I think the record will demonstrate that. And those in the room who have heard Mr. Arens during the last witness' appearance on the stand can come to their own conclusion.

Mr. DOYLE. I will say, Mr. Velde, I am sure we all agree with you.

I wish to thank the marshal for being so prompt in ejecting the one person who disturbed the meeting, and acting promptly as directed by the committee.

We will not tolerate any approval or disapproval manifestations.

Proceed, Mr. Arens.

Mr. ARENS. Mr. Chairman, the only introduction which I shall now make will be from self-authenticating documents because, as is obvious, the witness concerning whom the documents have information is not physically present in the room.

The first document is a letterhead of the Northern California Committee for Protection of Foreign Born with reference to a conference of that organization which is to be held at the headquarters of the ILWU in San Francisco.

Mr. ARENS. The second document is a self-authenticating reproduction of an article in the Daily Worker of 1949 with respect to Louis Goldblatt being ejected and deported from England when he was there for a conference and because of his participation in a dock strike that was going on at that time in England in 1949.

Mr. ARENS. The next document, likewise, pertains to that same incident, and it is from the New York Times, which is a recitation by Clifton Daniel of what transpired there.

Mr. SCHERER. Even the English, with their fine system of jurisprudence, evidently do not tolerate the conduct of a man like this.

Mr. ARENS. But I will just read one excerpt. And in the normal course I would have interrogated the witness with respect to the facts alleged in the article.

Quoting now from the New York Times of 1949:

In the meantime, 3 foreign union officials—2 United States citizens and 1 Netherlander—who were said by J. Cluter Ede, British Home Secretary, to have Communist affiliations and to have come here in connection with London strike, were deported from Britain today.

This is a matter I would have normally interrogated the witness about.

The next self-authenticating document is from the Communist Daily Worker with reference to a number of people who had petitioned the United States Congress with reference to the anti-Communist Mundt bill, and this document includes as one of those persons Louis Goldblatt.

The next is a reference to a speech which appears in the Communist Daily People's World of December 1952, and a picture of Louis Goldblatt, in which Goldblatt is attacking the Smith Act, the McCarran Act, that is the Internal Security Act, and the immigration laws, various anti-Communist legislation in a session which was held in Los Angeles.

The next document which I again say is self-authenticating is a reproduction from the Daily People's World with reference to a lobby in Washington, that a labor lobby has gone to Washington to lobby for repeal of the Smith Act and other legislation.

Included in the lobby group that went to Washington, according to this article, is Louis Goldblatt.

Mr. ARENS. As I say, I would normally interrogate the witness and ask him whether or not that reference presented the facts.

Mr. SCHERER. And he would promptly take the fifth amendment.

Mr. ARENS. Yes.

The next self-authenticating document is with reference to a session which was held in Los Angeles in which Louis Goldblatt was one of the speakers, and this session was under the auspices of the Los Angeles Committee for Protection of Foreign Born, holding a dinner to honor its legal panel. And the speaker of the occasion was, according to this document, Louis Goldblatt.

Still the next document is a reproduction of the Communist Daily Worker of New York of 1952 in which Louis Goldblatt is to be the speaker at a session honoring lawyers who were working with the Los Angeles Committee for Protection of Foreign Born.

The next document is a letterhead of the Harry Bridges Defense Committee, on which Louis Goldblatt is listed as one of the sponsoring members of the committee.

The next document is a reproduction of the Daily People's World of December 1951, with reference to the activities of Louis Goldblatt in connection with the Progressive Party of California.

The next document is a reproduction of a statement by C. J. Haggerty, secretary of the California State Federation of Labor, on the California school. It makes reference to activities of Louis Goldblatt in connection with the California Labor School.

Mr. DOYLE. Was that the report in which the State A. F. of L. condemned the California Labor School?

Mr. ARENS. It is a California State Federation of Labor report.

Mr. DOYLE. By Mr. Haggerty. And that report condemned the California Labor School as being Communist controlled, I believe.

Mr. ARENS. We have still another document, self-authenticating, from the Daily Worker in which a number of people back in 1942, before the expulsion of Earl Browder from the Communist Party, intervened on his behalf. Leaders of this group include, according to the Communist Daily Worker, Louis Goldblatt.

As I say, Mr. Chairman, these are self-authenticating documents in that they are documents which are available to the public. But the facts which appear in them are subject to interrogation of the witness.

Then we have a final document which is self-authenticating, an original document—Let Freedom Ring—of the Civil Rights Congress, referring to a conference held in Chicago. This document reveals that one of the sponsors is Louis Goldblatt, secretary-treasurer, International Longshoremen's and Warehousemen's Union.

(Documents marked "Exhibits Nos. 569-579a, b," see appendix, pp. 8134-8146.)

Mr. Chairman, I respectfully suggest also that the document concerning which I was interrogating the witness when he was expelled from the hearing room, this booklet—I don't have it at my fingertips at the moment—be incorporated at least by reference in the record, and also the application card for the Young Communist League which was inserted in the booklet calling for the establishment of a workers' and farmers' government—a Soviet America.

Mr. SCHERER. Mr. Chairman, I understand a tape recording has been made, or is being made, of the witnesses before this committee. I move that the staff be instructed to obtain that portion of the tape recording on which the last witness' testimony appears, and that it be made a part of this witness' file.

Mr. DOYLE. Without objection.

Mr. SCHERER. I want it to be played to a committee that is going to consider legislation in the next Congress enabling congressional committees to more effectively deal with such obvious contemptuous conduct as displayed by the last witness.

Mr. DOYLE. Without objection, it is so ordered.

And I think it would be appropriate, members of the committee and counsel, if that part of the booklet under the name of Miller, according to the sworn testimony by Rosser, of Goldblatt's, be incorporated in here.

Without objection, that will be done.

Call your next witness.

Mr. ARENS. Mrs. Clair Jensen, J-e-n-s-e-n. Kindly come forward.

Please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Mrs. Jensen, please raise your right hand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JENSEN. I do.

Mr. DOYLE. May the record show that Subcommittee Chairman Doyle is retiring from the committee at this time until reconvening of the committee at 2 o'clock.

I have a speaking engagement with a group of security officers, and I am leaving the committee with Mr. Velde of Illinois to act in my stead, and leaving a quorum of the subcommittee of three.

Therefore, a legal quorum is present.

TESTIMONY OF MRS. CLAIR JENSEN, ACCOMPANIED BY COUNSEL, AUBREY GROSSMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. JENSEN. Clair Jensen, C-l-a-i-r, 1422 Seventh Street, Berkeley; housewife.

(Representative Clyde Doyle left the hearing room at this point.)

Mr. ARENS. You are appearing today, Mrs. Jensen, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. JENSEN. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. JENSEN. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. GROSSMAN. Aubrey Grossman, 1440 Broadway, Oakland.

Mr. ARENS. Mrs. Jensen, are you, or have you been, secretary of the East Bay Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the grounds of the fifth amendment to the Constitution.

Mr. ARENS. Do you honestly feel, Mrs. Jensen, if you told this committee truthfully whether or not you are secretary to the East Bay Committee for Protection of Foreign Born you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer this question because I honestly feel that answering it might lead to prosecuting action against myself.

Mr. ARENS. Thank you, ma'am.

Now, we would like to display to you, if you please, 2 or 3 exhibits. The first is *The Light*, which is a publication identified in our record already, issued by the Northern California Committee for Protection of Foreign Born. In this publication, *The Light*, we see here, on page 2, the following among other things.

East Bay supporters of the Northern California Committee for Protection of the Foreign Born are really in line for a merit award for outstanding work.

Led by Clair Jensen, they have given all-out support to the "third annual festival of nationalities" in preparing the program, in selling tickets, and in collecting funds—

and so forth.

(Document marked "Exhibit No. 580," see appendix, pp. 8147, 8148.)

Then also I shall display to you at the same time. *The Lamp of the American Committee for Protection of Foreign Born*, of March-May 1953, the following appears:

An East Bay Committee for Protection of Foreign Born has been established in Oakland, Calif.—

and so forth.

Kindly look at those two articles and tell us whether or not you have firsthand information respecting the establishment of the East Bay Committee for Protection of Foreign Born and whether or not you are one of the leaders in that group.

(Document marked "Exhibit No. 581," see appendix, p. 8149.)

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer this question on the basis of the first amendment and also the fifth. On the basis of the first because I have a complete right to always speak my mind and be a member of any organization I wish to be—

Mr. ARENS. Of course you do.

Mrs. JENSEN. Under the Constitution of the United States.

Mr. ARENS. Except a criminal conspiracy.

Now tell this committee whether or not you know a person by the name of Stanley B. Hancock.

(The witness confers with her counsel.)

Mrs. JENSEN. Do you consider Mr. Hancock to be a person who has Communist affiliations?

Mr. ARENS. I beg your pardon?

Mrs. JENSEN. Do you consider—

Mr. ARENS. Please tell this committee, ma'am, while you are under oath whether you know Stanley B. Hancock.

(The witness confers with her counsel.)

Mrs. JENSEN. I take exception to the question on the basis of the fifth amendment.

Mr. ARENS. Mrs. Jensen, what was your maiden name?

(The witness confers with her counsel.)

Mrs. JENSEN. Clair Aderer.

Mr. ARENS. How do you spell the last name?

Mrs. JENSEN. A-d-e-r-e-r.

Mr. ARENS. Now I should like to read you a little testimony and see if you can't help this Committee on Un-American Activities. It

is the testimony of Stanley B. Hancock, who was a former Communist Party functionary in San Diego County.

Q. I hand you a list of individuals who at one time lived in the San Diego area. Will you please examine the list and identify any appearing on it who are known to you to be members of the Communist Party with such identifying information regarding them as you can give?

A. I knew a party named Clair, C-l-a-i-r, Aderer, A-d-e-r-e-r, a young lady, I think, from Los Angeles, who became affiliated with our San Diego Communist Party, and it seems to me she was engaged in youth activities.

Was Mr. Hancock lying or was he telling the truth when he so testified under oath?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. Now do you know, or have you known, a person by the name of Daniel Taylor?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. Mr. Daniel Taylor, a former functionary of the Communist Party at San Diego, testified before the House Committee on Un-American Activities, on April 19, 1954. In this testimony the following appears:

Q. Are you acquainted with Clair Aderer?

A. Yes.

Q. Was that person a member of the Communist Party to your knowledge?

A. Yes. She was a rank-and-file member.

Did Mr. Taylor lie when he identified you as a member of the Communist Party? Or did he tell the truth?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. Now we display to you a reproduction of the Daily People's World of September 1940, respecting a fund drive for the Communist Daily People's World. And this fund drive quotes you as follows:

Clair Aderer, who recently came from San Diego, has personally issued a challenge to Vern Lym,¹ drive director in the south, to get her quota in first. This challenge has also been accepted.

Please look at this publication, if you will, ma'am, and tell this committee while you are under oath whether or not you are accurately identified in that publication.

(Document marked "Exhibit No. 582," see appendix, p. 8150.)

(The witness examines document and confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Now I have a document issued by the East Bay Committee for Protection of Foreign Born: "Walter-McCarran Act Protest Rally."

Fourteen million foreign-born Americans are threatened by the Walter McCarran Act. Organized labor is threatened by it, according to this. And the Constitution is threatened by it.

Hear Abner Green, executive secretary of the American Committee for Protection of Foreign Born. All to be held at Herman Sons Hall.

¹ This is a reference to La Verne Lym.

Please tell this committee while you are under oath, if you prepared this document and if it is a true and authentic reproduction of a document issued by the East Bay Committee.

(Document marked "Exhibit No. 583," see appendix, p. 8151.)

(The witness confers with her counsel.)

Mr. GROSSMAN. May I suggest that you preserve the secrecy of communication between counsel and witness by stepping back, please? Back farther, please.

I would ask the chairman of the committee to preserve the right of secrecy of counsel to confer with his client.

Mr. VELDE. (presiding). You know the rules of this committee. If you care to go into the back room for a minute or two and confer with your client, it will be considered.

Mr. GROSSMAN. I refer only to Mr. Wheeler standing over my shoulder.

Mr. VELDE. He isn't there now. So go ahead and confer.

Mr. GROSSMAN. Thank you very much.

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Mrs. Jensen, could you tell this committee what a stool pigeon is?

(The witness confers with her counsel.)

Mr. VELDE. Did she use that term in that document, Mr. Arens?

Mr. ARENS. No.

(The witness confers with her counsel.)

Mrs. JENSEN. That is a question that is difficult to answer you in just a few words.

Mr. VELDE. Would you speak up?

Mrs. JENSEN. This is a question—I said this is a question that is not too easy to answer in just a few words. So, if the committee and the attorney will give me a little time to think of my answer, I will appreciate it.

Mr. VELDE. How long do you think it will take you to answer the question?

Mrs. JENSEN. If you will just give me a little time to think without interrupting, it will be much easier and much quicker.

Mr. SCHERER. Mr. Chairman, I suggest counsel withdraw his question.

Mr. VELDE. It is taking up too much time.

Mr. SCHERER. Proceed.

Mr. ARENS. Were you a stool pigeon against yourself when you signed this proxy for attendance at the State Central Committee meeting of the Communist Party under date of September 18, 1940, in an original Communist Party document?

(Document marked "Exhibit No. 584," see appendix, p. 8152.)

(The witness examines document and confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. Do you know Esco L. Richardson?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Was he a stool pigeon when he signed this original affidavit for the Communist Party appointing you as a delegate to the Communist State Central Committee at Sacramento?

(Document marked "Exhibit No. 585," see appendix, p. 8153.)

Mrs. JENSEN. I refuse to answer on the basis on the fifth amendment of the Constitution.

Mr. ARENS. Now I would like, if you please, ma'am, to allude to a report of a meeting of the East Bay Committee, which was held November 28 of this year, just last month, the latter part of last month, at the Finnish Hall, 1819 10th Street in Berkeley.

Did you have charge of that meeting over there?

(The witness confers with her counsel.)

Mr. ARENS. Just about 2 weeks ago.

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the first and fifth amendments.

Mr. ARENS. According to the report that has come into the possession of the committee in legitimate channels:

Clair Jensen then introduced a Reverend Herriott—

H-e-r-r-i-o-t-t—

for some brief comments. Reverend Herriott stated that he was honored to be present tonight. When he was asked about appearing he stated he would be happy to for he had always believed in fighting for the rights of the oppressed and downtrodden, and this was also the position followed by his church. He stated that he believed that it was good for a person or group to have a symbol or belief to guide them, just as a ship has an emblem on its bow to guide it through dark, deep and troublesome waters. He wanted to read two short poems to the audience.

Are you the one who got Reverend Herriott over there to that meeting?

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment of the Constitution.

Mr. ARENS. Did you tell Reverend Herriott that you and your committee are controlled lock, stock and barrel by the Communist conspiracy when you got him over there?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. Now Communist Agent Abner Green from the American Committee for Protection of Foreign Born gave a little speech over there just a couple of weeks ago. Isn't that true?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Abner Green stated in this speech, did he not, that the Internal Security Act of 1950 and the old Smith Act were being used to hamper and set back the progressive forces of this country?

Did Abner Green say that a couple of weeks ago before the East Bay Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mr. SCHERER. He said that about the Smith Act and what other act?

Mr. ARENS. The Internal Security Act.

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. And did Abner Green go on and talk about the present company?

When Congress reconvenes there will be once again many attempts made to change our immigration laws. This time Congressman Walter is relying on new tactics to prevent any changes in his bill. He is using the Un-American Activities Committee to argue his case. This committee is presently engaged in a road tour [laughter].

Did everybody laugh when Abner Green said that?

Mrs. JENSEN. I refuse to answer that on the basis of the fifth amendment.

Mr. VELDE. Do you know Abner Green, Witness?

Mrs. JENSEN. I didn't hear you.

Mr. VELDE. Are you acquainted with Abner Green?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Then after the laughter we see the following:

a road tour that is carrying it all over the country in an attempt to harass the Committee for the Protection of the Foreign Born. The Un-American Activities Committee and Congressman Walter are trying to present to the American people the picture that foreign born, or at least the foreign born who object to the McCarran-Walter bill, are Communists. The committee will come to the west coast after holding hearings in Chicago. While in Chicago the committee will hear witnesses from Illinois, Indiana, and Michigan. The committee will be in Los Angeles on the 5th, 6th and 7th of December. After leaving Los Angeles the committee will come to San Francisco, then on to Seattle.

Did Abner Green and you and the other comrades over at the East Bay Committee for Protection of Foreign Born have this information under date of November 28, 1956, just about 2 weeks ago?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. And then did Abner Green—and I will not undertake to burden the record with a complete quotation here of this voluminous document reporting on the meeting—

Did Abner Green then go on and tell the comrades about what all he did to stand up to the House Un-American Activities Committee when we had him in Washington here about a month or so ago, or a couple of months ago? How he bested the committee, and how he discredited the committee?

Did he tell you all about that?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Did he tell you how he shook his finger at the committee, told the committee members they were violating the Constitution of the United States, and refused to give them the information they required?

Mr. SCHERER. He's right about that latter part. He didn't answer a question. He took the fifth amendment.

Mr. ARENS. Did Abner Green tell you all that?

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment to the Constitution.

Mr. ARENS. I put it to you as a fact, ma'am, and ask you to affirm or deny the fact that the East Bay Committee for Protection of Foreign Born is one tentacle of the American Committee for Protec-

tion of Foreign Born and that, to your certain knowledge, it is controlled, lock, stock, and barrel, by the Communist Party.

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Are you now a member of the Communist conspiratorial apparatus?

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Now I would like to ask you, if I may, in conclusion, the names of some people who were in attendance at this little session over here concerning which you have the dark cloud of secrecy.

Gilbert Bendix; do you know him?

(The witness confers with her counsel.)

Mrs. JENSEN. Do you consider that this Gilbert Bendix has Communist affiliations?

Mr. ARENS. Ma'am, I am asking the questions here. Just tell us, Was Gilbert Bendix there?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Grace Patridge?

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Was Ann Yanish there? Y-a-n-i-s-h.

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Well, let's just, without being too tedious about this matter, ask you if you will tell us who was there.

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. Any questions, Mr. Scherer?

Mr. SCHERER. The fact is that, by far, the greater percentage of those that were at this meeting were members of the Communist Party. Isn't that a fact, Witness?

(The witness confers with her counsel.)

Mrs. JENSEN. I refuse to answer on the basis of the fifth amendment.

Mr. SCHERER. That is all.

Mr. VELDE. The witness is excused. And the committee will be in recess until 2 o'clock.

(Whereupon, at 12:20 p. m., the committee was recessed, to be reconvened at 2 p. m. this same day. Committee members present: Representatives Velde and Scherer.)

AFTERNOON SESSION—TUESDAY, DECEMBER 11, 1956

The subcommittee was reconvened at the expiration of the recess at 2:35 p. m. and resumed its hearings on Investigation of Communist Propaganda in the United States. For these proceedings, see testimony of Wilhelmina Loughrey (correct spelling "Wilhelmine

Loughry) and Lawrence Lowe, which is printed under the title, "Investigation of Communist Propaganda in the United States," Part 3, pages 6135-6139. At the conclusion of their testimony, hearings on Communist Political Subversion were resumed.

Committee members present when the subcommittee reconvened: Representatives Doyle and Scherer.

Mr. SPEISER. Mr. Chairman, I wonder if it would be proper to make some comments with respect to the comments about ACLU, on which they were invited, at this time?

Mr. DOYLE. No, Mr. Speiser.

Mr. SPEISER. Very well.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Aubrey Grossman.

Kindly come forward.

Kindly remain standing while the chairman administers an oath to you.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GROSSMAN. I do.

TESTIMONY OF AUBREY GROSSMAN, ACCOMPANIED BY COUNSEL, BENJAMIN DREYFUS

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GROSSMAN. Just one minute, please.

Aubrey Grossman, 1440 Broadway, Oakland; attorney-at-law.

Mr. ARENS. You are appearing today, Mr. Grossman, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. GROSSMAN. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. GROSSMAN. That is correct.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. DREYFUS. I am Benjamin Dreyfus, San Francisco.

Mr. ARENS. Give us just a thumbnail sketch, please, Mr. Grossman, of your education.

Mr. GROSSMAN. Graduated from the University of California at Los Angeles in 1932; graduated from the University of California Law School at Berkeley, 1935.

Mr. ARENS. And when were you admitted to practice law?

Mr. GROSSMAN. Somewhere in the latter part of 1936; I believe it was August.

Mr. ARENS. You are admitted in the State of California and in any other State?

Mr. GROSSMAN. Only the State of California.

Mr. ARENS. Are you admitted in the Federal courts?

Mr. GROSSMAN. That is correct.

Mr. ARENS. And when were you admitted in the Federal courts?

Mr. GROSSMAN. I believe soon after my admission to the bar of California so far as the Federal district court is concerned in this district.

I was admitted to the bar of the Supreme Court of the United States at some later time; I believe around 1940.

Mr. ARENS. And as a prerequisite to your admission to practice law in this State did you take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic?

Mr. GROSSMAN. I don't remember the exact wording of the oath. I don't think it read the way you describe it. But I took an oath.

Mr. ARENS. Is that substantially the oath you took?

Mr. GROSSMAN. I would rather not rely on memory.

Mr. ARENS. Did you take an oath to support the Constitution?

Mr. GROSSMAN. Yes. That I am sure of.

Mr. ARENS. At the time you took that oath were you a member of the Communist party?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on several grounds:

One, the provisions of the first amendment which protect my right of free speech and free press;

Two, the protection of the fifth amendment insofar as the answer to the question might conceivably lead to prosecution; and

Three, the fact that this committee is engaged in a project which is a nonlegislative purpose, a project to investigate and intimidate the activities of the people of the United States looking toward amendment of Federal legislation.

So, for those three grounds, I decline to answer that question.

Mr. ARENS. Now, Mr. Grossman, do you honestly apprehend that if you told this committee truthfully whether or not you were a member of the Communist Party at the time you took an oath and were admitted to practice law in these courts, you would be supplying information that might be used against you in a criminal proceeding?

Mr. GROSSMAN. Well, I don't read the United States Supreme Court decisions the way you do, counsel?

I say that I, in good faith, believe that if I answer this question it may tend to lead to prosecution of me.

Mr. ARENS. Now, Mr. Grossman, do you know a man by the name of Mr. Lon Rosser, R-o-s-s-e-r?

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments, those particulars of them that I specified.

Mr. ARENS. Mr. Rosser took an oath and testified while he was under oath that you were a Communist, a member of the Young Communist League in 1934.

Was Mr. Rosser lying or was he telling the truth?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments, those parts of those amendments that I have specifically referred to.

Mr. ARENS. As a matter of fact, Mr. Rosser testified that you were not only a member of the Young Communist League but you were a leader of the Young Communist League at Berkeley. Was he lying or was he telling the truth?

Mr. GROSSMAN. I decline to answer that question on the same provisions of the first and fifth amendments.

Mr. ARENS. Mr. Rosser continued in his testimony by saying that after he had known you as a member of the Young Communist League he knew you as a member of the Communist Party.

Was Mr. Rosser lying at that point or was he telling the truth?

Mr. DREYFUS. Excuse me. Could you tell us where the testimony comes from?

Mr. ARENS. I would be very glad to. I am sure Mr. Grossman knows. It was testimony of December 1, 1953.

Mr. DREYFUS. Before this committee?

Mr. ARENS. Yes.

Mr. DREYFUS. Thank you.

Mr. ARENS. Now was he telling the truth or was he lying?

Mr. GROSSMAN. I decline to answer that question, using as my grounds the same provisions I have referred to, of the first and fifth amendments.

Mr. ARENS. Now do you know a man by the name of Dickson, D-i-c-k-s-o-n, P. Hill?

Mr. GROSSMAN. I would like to ask the committee whether the committee considers that this man who has been named is a member of, or affiliated with, any Communist organization.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Do you know a man by the name of Dickson P. Hill?

(The witness confers with his counsel.)

Mr. GROSSMAN. In the light of the fact that I presume the committee is not playing games and must be naming this name having some evidence in mind, or some statement by this person in mind, and in light of the fact that the committee will not tell me whether or not they consider this man has such affiliations, I am obliged to decline to answer this question, basing myself upon the first and fifth amendments as specifically referred to in previous answers.

Mr. ARENS. All right. I would like to read you some questions and answers of Dickson P. Hill while he was under oath before this committee on December 2, 1953.

Q. Did you ever attend a Communist Party meeting where the Duclos letter was discussed?

A. Yes.

Q. Where was this meeting held, and who was the principal speaker?

A. That was held in San Francisco, when an attorney, I believe, by the name of Aubrey Grossman, I believe—Grossman, yes—

Q. A-u-b-r-e-y?

A. That is right.

Q. G-r-o-s-s-m-a-n. Is that correct?

A. Yes—and William Schneiderman spoke at that meeting.

Q. Did you know later, at that time or later, Aubrey Grossman to be a member of the Communist Party?

A. Yes, I did; I mean through intraparty communications; yes.

Does that help to refresh your recollection, Mr. Grossman?

Mr. GROSSMAN. I decline to answer that question on the same grounds I set out before, relying upon the first and the fifth amendments.

Mr. ARENS. Do you recall being in a little meeting in which you and William Schneiderman spoke with reference to the Duclos letter?

Mr. GROSSMAN. I decline to answer that question on the grounds of violation of the first and fifth amendments as specifically referred to in my previous answers.

Mr. ARENS. Do you know Mrs. Bessie Honig, H-o-n-i-g?

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Mrs. Bessie Honig testified under oath and laid her liberty on the line and stated while she was under oath that, while she was a former operative for the FBI in security work, she knew you as a Communist. Did she lie or did she tell the truth?

Mr. GROSSMAN. I decline to answer that question on the grounds of violation of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness either invoke the fifth amendment properly or be directed to answer the question.

Did Mrs. Honig lie or did she tell the truth when she named you under oath as a member of the Communist conspiracy?

Mr. GROSSMAN. I decline to answer that question on several grounds: First, it violates my rights under the first amendment of the Constitution—

Mr. ARENS. You know it doesn't violate any rights.

Mr. GROSSMAN. Just one minute, please. Just a minute, please.

In particular, because it violates my right of free speech.

I am also entitled to a privilege under the fifth amendment, which I assert, the privilege of refusing to answer any question which, if I answer it, might tend to result in a prosecution.

Mr. ARENS. Now I would like to invite your attention, please, sir, to several of your activities as evidenced by certain Communist publications. First of all, have you been connected with the Northern California Committee for Protection of Foreign Born?

Mr. GROSSMAN. I decline to answer that question on three grounds:

One, that the answer to that question might tend to result in prosecution. Therefore, I rely on the fifth amendment. No. 2, that my rights under the first amendment, my right of free speech and the right to petition Congress for redress of grievances, would be violated by that question. And, No. 3, that this looks toward a nonlegislative purpose of this committee; to wit, the purpose I have previously referred to, the purpose of attempting to investigate and impede the activity of the people of the United States looking toward amendment of legislation in general and, in particular, amendment of the Walter-McCarran Act.

Mr. ARENS. In particular what kind of people?

Mr. GROSSMAN. All kinds of people.

Mr. ARENS. You wouldn't say just Communists then; is that correct?

Mr. GROSSMAN. I would not.

Mr. ARENS. I put it to you as a fact that in October of 1955 you were the master of ceremonies at the Festival of Nationalities, held by the Northern California Committee for Protection of Foreign Born at Berkeley, Calif., at the Finnish Hall, 1819 10th Street.

If that isn't true, deny it while you are under oath.

Mr. GROSSMAN. I decline to answer the question on the same grounds as my previous answer. Does the chairman of the committee wish me to itemize again my objections? Because counsel apparently wasn't satisfied with my brief statement.

Mr. DOYLE. Just make it clear you plead the fifth amendment.

Mr. GROSSMAN. All right. Exactly the same grounds as I declined to answer the previous question.

Mr. ARENS. Now I would like to invite your attention to the Communist Daily People's World, Thursday, March 22, 1945, and read you a little article here:

An Institute on World Security, sponsored by the San Francisco Communist Political Association, will be held here—

that is in San Francisco—

at the St. Francis Hotel.

Among those who are listed as leaders of this world security program sponsored by the Communist Political Association is Aubrey Grossman, identified here as an attorney.

Kindly look at this document and see if that refreshes your recollection with reference to your participation in this world program under the auspices, so the article says, of the Communist Political Association.

(Document marked "Exhibit No. 586," see appendix, p. 8154.)

(The witness examines document.)

Mr. GROSSMAN. Which part of the page there?

Mr. ARENS. It is marked there. We put the red around the Communist activities.

Mr. GROSSMAN. Thank you.

(The witness examines document and confers with his counsel.)

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Who was Earl Browder, and what was his line? Can you help us on that? Does that mean anything to you?

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Well, so we don't impede your free speech, we want you to speak up freely now and tell us if this account in the Daily People's World of Thursday, July 19, 1945, is truthful.

(Document marked "Exhibit No. 587," see appendix, p. 8154.)

Here is what the article says:

CALIFORNIA COMMUNISTS REPUDIATE BROWDER LINE

State headquarters of the Communist Political Association of California announced today that a special State convention of the association last Sunday endorsed the main line of the draft resolution submitted by its national committee and elected 10 delegates to the special national convention of the association—

and so forth.

And I skip a paragraph or two, and here is what I see. And, for your enlightenment, I have marked it in red, too.

The Northern California convention elected the following delegates to the national convention: John Hughes, Steve Nelson, Ray Thompson, William Schneiderman, John Morgan, and Mickey Lima—

with Aubrey Grossman as one of the alternates.

Kindly look at this document and see if it is truthfully setting forth what happened, and, if so, kindly tell this committee while you are under oath whether or not you were the alternate delegate to that Communist convention.

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. And, coming up chronologically with your activities, we see still another exhibit here from the Daily People's World, September 21, 1945, and this article is entitled:

COMMUNISTS TO HOLD JOB RALLY

All East Bay workers are invited to attend a mass meeting tonight (Friday), 8 p. m., at the Oakland Auditorium Ballroom on "Jobs for All," sponsored by the Communist Party of Alameda County. CP officials said today.

Then the article goes on and tells us who are going to be speakers and leaders of that group, including one Aubrey Grossman, identified here as a labor attorney.

Look at that document and tell us if you can't help the Committee on Un-American Activities in its legislative purpose of trying to develop facts so that we can oust the Communist growth.

(Document marked "Exhibit No. 588," see appendix, p. 8155.)

Mr. GROSSMAN. Would you repeat the question, please?

Mr. ARENS. Yes. Look at that document and see if you can give us a little information so we can go back to Washington and maybe legislate more on communism.

Mr. GROSSMAN. Is that a question?

Mr. ARENS. Yes, sir. I am soliciting your free speech to help this committee.

Mr. GROSSMAN. Does the committee rule that is a question?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. It is a request for you to cooperate with the committee if you will.

Mr. ARENS. He was protesting that the committee had no legislative purpose.

Mr. GROSSMAN. Is that a question or a request to cooperate?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I think it is in the form and intent of a question. I think we understand that.

Mr. EDISES. May we have the question read?

Mr. ARENS. I will be glad to repeat it.

Mr. GROSSMAN. Let's have it read.

Mr. ARENS. Kindly look at this article and see if you can give this committee information about the activities of the Communists as reported in that article so the committee can have that information when it goes back to devise more legislation on communism.

Mr. GROSSMAN. Though I don't conceive that to be a question, if it is a question, I will decline to answer it on the grounds of the first and fifth amendments.

Mr. ARENS. Now I want to invite your attention to still another document, the Daily People's World of November 9, 1945, and the headline says:

SF COMMUNISTS ELECT OFFICERS

The San Francisco County committee of the Communist Party today announced its election of officers for the coming year.

And they list the officers, including Aubrey Grossman who was elected educational director.

Kindly look at this document and tell the Committee on Un-American Activities if you recall that occasion in which you achieved the distinction of being elected educational director of the Communist Party.

(The witness examines document.)

(Document marked "Exhibit No. 589," see appendix, p. 8155.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Now I want to invite your attention to other occasions in which you did more freely express yourself and your free speech wasn't quite so impeded.

In the Communist Daily World of November 17, 1945, we see an advertisement:

What is the role of MacArthur in the Philippines?

Will the Philippines get their independence in 1946?

What form does U. S. imperialism take in the Philippines?

For answers to these questions, come to Jefferson Park, Turk and Laguna Streets, Sunday, November 18.

Listed among the people who are going to speak, curiously enough, is Aubrey Grossman, educational director of the Communist Party. And this occasion is all under the auspices, according to the advertisement, of the Communist Party of San Francisco.

Kindly look at that document and tell this committee while you are under oath whether or not you expressed yourself to your listeners and were introduced in that capacity.

(Document marked "Exhibit No. 590," see appendix, p. 8156.)

Mr. DREYFUS. I beg your pardon. What is the question, counsel?

Mr. ARENS. I beg your pardon?

Mr. DREYFUS. I didn't follow the question, sir.

Mr. ARENS. Were you the man that made a speech who was introduced as Aubrey Grossman, educational director of the Communist Party, as set forth in that publication that you are looking at right now?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. I want to invite your attention to still another document of this publication, the Daily People's World of Wednesday, July 3, 1946.

Here is a little article that probably you can help us on.

FORUM FRIDAY ON TROLLEYS, MARITIME

The streetcar strike and the maritime situation will be discussed Friday night at the first of a series of weekly forums conducted by the Communist Party of San Francisco.

Aubrey Grossman, educational director of the Communist Party, will lead the discussion on the streetcar strike.

Look at that and see if you recall a streetcar strike and your leading the discussion on that unhappy occasion.

(Document marked "Exhibit No. 591," see appendix, p. 8156.)

(The witness examines document.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Now I invite your attention to still another document, an advertisement appearing in the Daily People's World of September 1946:

Communist Party Friday Forum, Friday, September 13, 8 p. m.

And the subject that is going to be discussed there, according to this, is:

Is Palestine the Answer?

And the orator who is going to enlighten the listeners is identified here as Aubrey Grossman, educational director, San Francisco Communist Party. And the admission is free.

Kindly look at that document, if you please, sir, and tell this committee while you are under oath whether you are appropriately identified.

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. And have you, in addition to your educational activities in the oratorical field, also been a writer? Do you recall any of your published works?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. I observe here in the Communist Daily Worker of June 1948, that is published, as we all know by the Communist Party, an article:

Some of Our Fundamental Tasks, by Aubrey Grossman, organizer, Mission Section, San Francisco.

I will read just a little of it here, and see if it refreshes your recollection.

As the preconvention resolution points out, our party has tremendous tasks before it. Task I is to stop world war III before it develops. Though the American people do not want war, they have been misled into support of the Marshall plan which constitutes the highway to world war III.

Then I observe here frequent references in the article to "our party" and:

Our experiences today in the United States demonstrate that "only a party which has mastered the Marxist-Leninist theory can confidently advance and lead the working class forward." What is true for the party is true for each individual member. Marxist-Leninist theory will enable us to "understand the inner connection of events, to foresee their course, and to perceive not only how and in what direction they are developing in the present, but how and in what direction they are bound to develop in the future." That is why we must study the history of the CPSU.

The Communist Party of the Soviet Union.

While you are under oath here, Mr. Grossman, won't you unburden yourself with some of these experiences which you indicated here will lead the world toward peace and serve your Government in that capacity?

(Document marked "Exhibit No. 592," see appendix, p. 8157.)

(The witness confers with his counsel.)

Mr. GROSSMAN. Does the chairman rule that is a question?

Mr. ARENS. It is a request if you would kindly do so.

Mr. GROSSMAN. Is it a question?

Mr. DOYLE. You have heard what counsel stated. It is a request.

Mr. ARENS. Tell us if that is what you said. If it is, tell us all about this Communist Party that you are commending there as the vanguard of the working class.

(The witness confers with his counsel.)

Mr. GROSSMAN. I do not heed the request.

Mr. ARENS. Did you write the article appearing in the document to which I was just alluding and which is now displayed to you?

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Now we have still another document here, a list of signers of a statement defending the Communist Party.

It appears by this article that the Communist Party is being persecuted in the United States, and its constitutional rights are being impeded, and apparently the rights of its free speech likewise. A number of people sign a statement protesting the treatment of this innocent little party. And in the list of people here who are defending the Communist conspiracy we see Aubrey Grossman of San Francisco, Calif.

Kindly look at that and tell the committee whether or not you recall that enterprise of yourself.

(See exhibit No. 58e, appendix, p. 7192.)

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. What was the question?

Mr. ARENS. Did you sign the statement which appears there?

Mr. GROSSMAN. I did.

Mr. ARENS. Thank you sir. At whose solitation did you sign it? Do you recall?

Mr. GROSSMAN. I have no recollection whatsoever.

Mr. ARENS. Now I would like to invite your attention to still another document.

Mr. GROSSMAN. Just a minute. I wonder if this may be introduced in the record.

Mr. ARENS. We have a general order, Mr. Grossman, for all of these documents to be introduced in the record.

Mr. GROSSMAN. Thank you. Would you like to read it?

Mr. ARENS. The next one I will read and we will introduce it in the record, too.

Mr. GROSSMAN. Would you like this read?

Mr. ARENS. Did I give a fair summary of it?

Mr. GROSSMAN. Would you like me to read it?

Mr. ARENS. No. It takes too much time. I am not taking time to read all of this.

Mr. GROSSMAN. You don't want to read it?

Mr. ARENS. I would suggest not.

Mr. GROSSMAN. Mr. Chairman, may I read it in the record?

Mr. ARENS. It will all be in the record.

Mr. GROSSMAN. All of it is going in the record, but still a good deal of it has been read by counsel.

Mr. ARENS. My mistake. You take issue with me?

Mr. GROSSMAN. Does the committee not want me to read this in the record?

Mr. DOYLE. It will all go in the record. I will assure you of that.

Mr. GROSSMAN. May I read it in the record?

Mr. DOYLE. There is no sense in taking 20 or 30 minutes.

Mr. GROSSMAN. It won't take that long.

Mr. DOYLE. We will get it all.

Mr. GROSSMAN. Perhaps the press is interested in the statement.

Mr. DOYLE. The press can have it and read it. They can use it right now if they want. Put it over on their table. They can get it.

Mr. ARENS. Go ahead and put these others over there, too, please.

Now I want to invite your attention to this one, and see if you want to take time on this one.

I will read a good deal of this one. It is short. We can cover this one pretty quickly.

Grossman to Head Coast Civil Rights Congress.

This is in the Daily Worker of January 1949.

Aubrey Grossman, 37-year-old attorney who left an important law practice to educate and organize in the struggle for human rights, has been appointed Pacific Coast Director for the Civil Rights Congress.

Grossman, who has been associated intimately with the battle for civil rights in California for more than a decade, said today, upon announcement of his appointment, his first job will be coordination of the campaign to defend the twelve indicted Communist leaders whose trial opens in New York January 17.

His biggest civil rights case was the deportation case of Harry Bridges, which he feels is "a landmark in establishing the rights of non-citizens and the constitutional rights of aliens in general." He also helped establish the invalidity of antipicketing ordinances and represented hundreds of union members in cases arising out of the labor struggles of the 1930's.

Versatile (he played halfback and fullback for UCLA in 1929, 1930, and 1931), Grossman was one of the founders of the Bay Area Council Against Discrimination and of its successor, the Council for Civic Unity. He was chairman of the Lawyers Committee that drew Governor Olson's legislative program in 1939. He was an active member of the Simon J. Lubin Society, an organization interested in the State's agricultural problems.

He left his law practice in 1945—

and I want to emphasize the last couple of lines now, if you please, sir.

He left his law practice in 1945 to become a full-time officer of the Communist Party of San Francisco.

Now would you kindly look at that article and see if that is a true—

I don't mean to be throwing it at you, Counsel. I am trying to get it over this wire here.

Mr. DREYFUS. I appreciate your difficulty here.

Mr. ARENS. Kindly look at that article and see if that is a true and correct biography of your principal activities in the course of the last several years.

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Now here is another article that is rather interesting. It is about the FBI. You know what the FBI is, do you not, Mr. Grossman? That is the intelligence—

Mr. GROSSMAN. The answer is yes.

Mr. ARENS. The intelligence agency.

Mr. GROSSMAN. Yes.

Mr. ARENS. The greatest intelligence agency that ever existed.

Mr. GROSSMAN. Is that a question?

Mr. ARENS (reading):

If the FBI should bother you—

The civil rights expert tells people what to do if this great FBI should bother them.

This is in the Daily People's World of May 6, 1949.

If the FBI—

Mr. DOYLE. What was that, please?

Mr. ARENS. The title of this article is:

IF THE FBI SHOULD BOTHER YOU—CIVIL RIGHTS EXPERT TELLS WHAT TO DO

The Civil Rights Congress warned progressives today to beware Federal Bureau of Investigation agents and their "investigations."

Aubrey Grossman, West Coast director of the congress, said that after thorough discussion with attorneys, the congress was advising those approached by the G-men to refuse to answer any questions.

"Any person these agents seek to question or have a discussion with has the right to refuse to talk to them—"

and so forth. I will not take time to read the entire article.

But do you have a recollection, as the west coast director of the Civil Rights Congress, of issuing that little instruction to all of the comrades with respect to how they should react to the FBI?

(Document marked "Exhibit No. 593," see appendix, p. 8158.)

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. VELDE. Just a minute, Mr. Counsel.

Mr. Grossman, did you know that you were being investigated by the FBI?

Mr. GROSSMAN. Did I know when?

Mr. VELDE. You said the FBI, what kind of an organization it was in answer to a question by counsel.

Did you know you were being investigated by the FBI?

Mr. GROSSMAN. Are you telling me that I was?

Mr. VELDE. No. I am just asking you if you knew whether you were or not.

I think you know that I know that you are a Communist and that you were a Communist for a long time because I was a member of the FBI stationed here in San Francisco back in the days when you were doing all these things that were designed to destroy our Constitution.

Mr. GROSSMAN. And what is the question?

Mr. VELDE. Did you know that you were being investigated by the FBI?

(The witness confers with his counsel.)

Mr. SCHERER. When he issued that statement?

Mr. VELDE. Yes. That is right.

Mr. GROSSMAN. The answer is "no."

Mr. DOYLE. I think the committee is fortunate to have Mr. Velde's experience as a former FBI agent on the committee in attendance at this hearing.

Mr. ARENS. Here is a little thing. May I have that exhibit?

Mr. DREYFUS. This one?

Mr. ARENS. Yes. Has he answered the question with reference to this?

Mr. GROSSMAN. The answer is "no."

Mr. ARENS. Have you answered the question with reference to the attack on the FBI?

Mr. DREYFUS. That was answered.

Mr. GROSSMAN. I declined to answer that one.

Mr. ARENS. Here is something I have a little difficulty with. Maybe you can help us.

In this exhibit which I have just displayed to you, I see an attack on the FBI with reference to informers and the like. Then I see here this question posed under the authorship and byline of Aubrey Grossman, Pacific coast regional director, Civil Rights Congress.

Here is the question:

Do Stool Pigeons Rate Civil Rights Defense?

Could I ask that question?

In your opinion, do stool pigeons rate any kind of civil rights? Or are civil rights only for Communists?

(The witness confers with his counsel.)

Mr. GROSSMAN. The question is, Do stool pigeons rate civil rights defense?

Mr. ARENS. That is right.

Mr. GROSSMAN. The answer is that stool pigeons are generally perjurers, are generally paid perjurers, are people, no matter what line they may tell on the stand, who need not fear prosecution. And I can give you the names and the dates and the cases if the committee wishes to hear it.

Mr. ARENS. Do you—

Mr. GROSSMAN. Just one minute. Let me finish my answer.

And I say that those people who will perjure themselves under oath in order to put other Americans in jail or have them deported, who will lie under oath for those purposes, cannot, under any stretch of the imagination, deserve civil rights or have their civil rights defended.

As a matter of fact, their civil rights never can come under attack.

Mr. VELDE. What stool pigeon put you in the Communist Party? Who lied?

Mr. GROSSMAN. What are you assuming, Mr. Velde, in your question?

Mr. VELDE. You just referred to stool pigeons that lie under oath.

Mr. GROSSMAN. What is the question?

Mr. VELDE. During 1943 and 1944 and 1945, will you tell this committee whether or not you were a member of the Communist Party?

Mr. GROSSMAN. Is that the question now?

Mr. VELDE. Yes.

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Were you a stool pigeon against yourself here when you wrote this little article about the comrades and "our party" and what you are doing as a comrade? Were you a stool pigeon then?

Just answer that question and help us on what is a stool pigeon, and tell this committee now while you are under oath were you a stool pigeon on yourself?

Mr. GROSSMAN. The answer is, I was not a stool pigeon.

Mr. ARENS. Were you telling the truth?

Mr. GROSSMAN. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. I want to make a reference to a stool pigeon publication; namely, a publication which talks about stool pigeons, and which publication is written by Aubrey Grossman.

See if you can't help us now and tell us whether or not this publication and the author of this article was a stool pigeon when he told stuff about a man by the name of Aubrey Grossman.

This article is in the Communist Daily People's World of July 20, 1949: "Do Stool Pigeons Rate Civil Rights Defense?" And it attacks very vigorously certain Trotskyites.

The article is written by a man by the name of Aubrey Grossman, Pacific coast regional director, Civil Rights Congress. We have his photograph here. And, so that you won't have any difficulty finding it, we have underlined it.

Would you kindly tell the committee whether or not you wrote that article?

(Document marked "Exhibit No. 594," see appendix, pp. 8159, 8160.)

(The witness examines document.)

Mr. DOYLE. Might I ask, Mr. Arens, does that article contend that a stool pigeon does have civil rights?

Mr. ARENS. It unmercifully attacks Trotskyites.

Mr. DOYLE. I always thought that any American citizen, no matter what he did, no matter who he was, had civil rights and had the right to a defense in court or any place else. I always felt as a lawyer, and I still feel, that, no matter who the person is, that it was a lawyer's duty and privilege to represent that person to the extent of his civil rights, whatever they are. I don't know that—

Mr. ARENS. Would you kindly answer the question then?

Mr. GROSSMAN. I was deferring to the chairman. I decline to—just 1 minute.

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Now, Mr. Grossman, I want to invite your attention to still another document. It is from the Daily People's World, July 3, 1950.

GROSSMAN TO FILL CRC POST IN EAST

Aubrey Grossman, well-known West Coast labor attorney, will leave for New York this week to take up his new duties as director of organization of the Civil Rights Council.

Grossman expressed great sorrow at having to leave at the present time his many friends here on the west coast and the like, and his picture appears there. He is going to new tasks.

Kindly look at that document and tell us whether or not that Communist publication was a stool pigeon or whether or not what it tells is true.

(Document marked "Exhibit No. 595," see appendix, p. 8161.)

(The witness examines document.)

Mr. GROSSMAN. Would you rephrase the question, please?

Mr. ARENS. Yes.

Kindly tell us whether or not that publication was a stool pigeon or was it telling the truth when it said you were going there to the east to assume your new responsibilities?

Mr. GROSSMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I want to invite your attention to still another document. This is just before the attack at Pearl Harbor, September 4, 1940. It is the Communist Daily Worker in New York.

We see here the headline reading as follows: "63 Prominent Lawyers Hit Draft Bill as un-American, un-Constitutional." And these 63 lawyers are all part of an emergency peace mobilization, and they go and protest to the House Military Affairs Committee. The sub-head tells about prominent signers and participants in this emergency peace mobilization, including one Aubrey Grossman.

Kindly tell us if you recall your participation in that enterprise.

(Document marked "Exhibit No. 596," see appendix, p. 8162.)

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. You will observe—

Mr. GROSSMAN. Wait a minute. Excuse me. And the additional grounds that it violates my right to engage in legislative activities under the protection of the first amendment and the ninth amendment of the Constitution.

Mr. ARENS. You were strong for peace and strong for disarmament here on September 4, 1940. Do you recall any change in your position after Hitler attacked the Soviet Union?

Mr. GROSSMAN. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Now we see here still another document from the Daily Worker in 1953.

We are moving along and won't take too much longer, Mr. Grossman.

It seems, according to this article, 302 delegates lay plans for a big May Day parade in New York City. Among those who are leaders in the arrangements, is one Aubrey Grossman of the Civil Rights Congress down there. They are going to have a big May Day parade to coincide with the May Day in Moscow.

(Document marked "Exhibit No. 597," see appendix, p. 8163.)

(The witness confers with his counsel.)

Mr. ARENS. Now—did you answer the question?

Mr. GROSSMAN. Was there a question? I thought it was a speech. Let's have it read back.

Mr. ARENS. Why don't you make a speech and tell us whether or not you were one of the leaders in this May Day parade in New York City?

We don't want to interfere with your freedom or right to petition Congress or anything else. You just tell us now. Did you do that?

Mr. GROSSMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I have still another exhibit from the Communist Daily People's World: Meet the People Around the Bay, with reference to the Council for American-Soviet Friendship and one of its big affairs. Among those who were participants in the activities of the Council for American-Soviet Friendship is Aubrey Grossman.

Kindly look at that document and see if it refreshes your recollection with reference to your participation in that affair.

(Document marked "Exhibit No. 598," see appendix, pp. 8163, 8164.)

(The witness examines document.)

Mr. GROSSMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Now I have a document here from the Daily People's World about a symposium of the California Labor School and one of the big forums is going to be on the development of American democracy along certain lines. Participating is going to be Aubrey Grossman, attorney for the CIO, member of the legal staff of the National Association for Advancement of Colored People, and member of the Council for Civic Unity of San Francisco.

Kindly look at this document and see whether or not you were honestly and accurately identified there in this symposium at the California Labor School.

(Document marked "Exhibit No. 599," see appendix, p. 8164.)

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Here is something that is a little curious. We have here another exhibit from the Communist Daily People's World. It has a quotation from the father of this country, George Washington:

Promote then as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

Apparently that is from his Farewell Address. That is here at the top of the picture. Below that picture we see the following:

Leaders in the arts, professions, as well as the vital-to-labor trade-union field, make the faculties of the State labor schools outstanding among American educational institutions. Shown above are (left) Aubrey Grossman, labor attorney and expert in civic affairs, who'll teach at the San Francisco school—

then they tell about others who are going to teach at the California Labor School in San Francisco.

Kindly look at this document and see if you recollect your professional activities as recounted there in that Daily People's World.

(The witness examines document and confers with his counsel.)

Mr. GROSSMAN. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a man by the name of Gregori Kheifets?

Mr. GROSSMAN. I would ask the committee whether that man is, in the committee's opinion, affiliated or was affiliated with Communist groups.

Mr. ARENS. Not only that, he has been identified as an espionage agent. Do you know him?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds of the first amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. Mr. Velde, any questions?

Mr. VELDE. Yes, I have several questions.

Mr. GROSSMAN, did you know Gregori Kheifets?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. VELDE. Did you know that he was the Russian consul?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. VELDE. Did you know Steve Nelson?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. VELDE. I don't think I will be violating the lawyer-client privilege in asking this question:

What other clients have you represented who have been charged with violation of any of our internal-security laws besides Mr. Harry Bridges?

(The witness confers with his counsel.)

Mr. GROSSMAN. I decline to answer that question on the grounds that it violates the attorney-client privilege.

Mr. VELDE. Now may I ask you another question.

What do you expect to gain in the future by being a member of the Communist Party or member of the Communist conspiracy?

Mr. GROSSMAN. I decline to answer that question on the ground that it violates my rights under the fifth amendment.

Mr. VELDE. Do you know Louise Bransten, now Louise Berman?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. VELDE. Did you, on May 12, 1944, attend a meeting between Gregori Kheifets, yourself, and John Tripp McTernan, M-c-T-e-r-n-a-n, at the home of Louise Bransten here in San Francisco?

Mr. GROSSMAN. I decline to answer that question on the grounds of the fifth amendment.

Mr. VELDE. Mr. Chairman, I don't have any more questions to ask of this witness except to say this much, that I am satisfied that Mr. Grossman has been identified, and I can identify him, as a former member of the Communist Party. I am satisfied that he is a member of the Communist Party at the present time by his demeanor in answering the questions here. As a professional man, I am satisfied that Mr. Grossman is very dangerous to the internal security of our country. I hope that the FBI and all the other security agencies that we have investigating acts that are designed to overthrow our form of government continue to be on the alert on Mr. Grossman.

Mr. DOYLE. Mr. Scherer, any questions or statement?

Mr. SCHERER. No statement.

You are now a practicing lawyer here?

Mr. GROSSMAN. That is correct.

Mr. DOYLE. May I be privileged to just take a minute.

Are you a member of the American Bar Association?

Mr. GROSSMAN. No, sir.

Mr. DOYLE. I wish to say that your declaration here, that, because a man was a stool pigeon, in your judgment he loses civil rights—

Mr. GROSSMAN. I didn't say that. I said his civil rights should not be defended. I said they could never come under attack.

Mr. SCHERER. He couldn't invoke the fifth amendment.

Mr. GROSSMAN. He wouldn't.

Mr. SCHERER. He shouldn't have the right.

Mr. GROSSMAN. He wouldn't.

Mr. DOYLE. In other words, for instance, under your declaration of principle as a leader of the Civil Rights Congress in the San Francisco area, if, in your judgment, a man was a stool pigeon and appeared before this committee, he wouldn't have the right to advice by an ethical lawyer to plead either the first or fifth amendments because you said he wouldn't have a right to defend his civil rights.

I sharply disagree with you. That is a surprise to me. It is a surprise to me that that is the position of the Civil Rights Congress.

I am more afraid of it than I was before.

(Representative Gordon H. Scherer left the hearing room.)

Mr. DOYLE. I wish to say as an American Congressman, we take the position, every American citizen, whether he be a stool pigeon or not, has certain inalienable rights under our constitutional law.

Now, for instance, article I that you plead says:

Congress shall make no law respecting or abridging the freedom of speech or of the press.

And that applies to a stool pigeon as well as anyone else in our book.

And then under article V of the Constitution, which you plead:

No person shall be compelled in any criminal case to be a witness against himself.

Under your premise, a stool pigeon would not be permitted to be defended by counsel.

Mr. GROSSMAN. Mr. Doyle, I said you have a right to defend a stool pigeon. I won't.

Mr. DOYLE. No, you didn't say that. At least the record will show what you said.

Mr. GROSSMAN. Let me make my position clear, if it isn't.

Mr. VELDE. You will defend members of the Communist conspiracy, however, won't you, Mr. Grossman?

Mr. GROSSMAN. I will defend anyone whose civil rights are attacked.

I say a stool pigeon's civil rights are incapable of being attacked. He is always a friend of those and a friendly witness for those who are attacking civil rights.

Mr. DOYLE. Well, at any rate, I wouldn't feel comfortable presiding over this subcommittee and have a report go back to my colleagues in Congress showing that we sat in the presence of a lawyer who had made that declaration of fundamental premise without countering it.

Mr. VELDE. I certainly concur with you.

Mr. DOYLE. I wouldn't think of it. It is abhorrent to me as a member of the bar and as a Congressman.

Now the reason I asked whether or not you were a member of the American Bar Association is that you pleaded the constitutional privilege. And, assuming that it is in good faith, you should do it. That is my position no matter who you are. If your plea is in good faith, you ought to plead it whether you are a stool pigeon or not, if it is in good faith and in accordance with the first and fifth.

Don't misunderstand this committee. We take the position that the Communist Party has a right to petition Congress. True. We believe they should do it in their own name instead of under some phony designation so that Congress doesn't know that it is the Communist Party. Even the Communist Party has rights which we are obligated to uphold and will uphold.

I refer to the brief of the American Bar Association before the Supreme Court of the United States in the October term, 1955, in the case of the Communist Party of the United States, petitioner, versus Subversive Activities Control Board. And I think, in view of the witness' declaration, I should read just a couple of paragraphs of this. I think that this brief represents probably the thinking of the rank and file of the American bar.

I quote:

CONGRESS HAS THE DUTY AND THE POWER TO ENACT LAWS TO SAFEGUARD THE
SECURITY AND WELFARE OF THE NATION

There is no purpose or power in government more fundamental than the protection of the Nation from invasion, domination, or subversion.

* * * * *

The power of Congress to protect our people embraces every phase of national security. The duty of self-preservation must be exercised within the framework of the Constitution. The duty and the power of the Congress have well been restated by this court in *Dennis v. United States* (341 U. S. 494, by Chief Justice Vinson at p. 501; * * *).

There can be no individual rights or freedoms without national security.

In the light of existing conditions, the Congress would have been derelict in its duty had it not enacted legislation within its power deemed by it adequate to protect the national welfare. The country was entitled to protection—not alibis or epitaphs.

* * * * *

The act is constitutional.

In order to consider the first amendment—

I call this to the witness' attention for the record—

In order to consider the first amendment and due process questions as applied to petitioner—

parenthetically, the Communist Party of the United States—

it must be done in the proper setting.

Then I read on page 7:

In this setting, we turn to the first amendment question.

The Communist Party-petitioner's contention that the act violates its freedom of speech under the first amendment is without merit. Section 1 of the act eliminates any basis for such argument.

By no sane or sound construction of the act can it be deemed to control freedom of thought or of speech or to apply to radical espousal or radical organizations unless they result from the foreign domination of the Communist movement. No organization and no individual—however radical but not so dominated—is encompassed by this act. Nor is any person or organization prevented from advocating any change, however far reaching, however unsound, however obnoxious, through change in our Constitution.

Article V of the Constitution provides one of the greatest of all rights—possibly even the greatest—that of the people to effect any change in our Government by the adoption of appropriate amendment to the Constitution. Orderly change in the Government by choice of the people is not one of the basic concepts of communism, which espouses rather subversion and violent revolution. In no country that communism dominates has it achieved power by the free choice of its people—not even in Russia.

I thought it very appropriate, in view of this witness' statement and the pleas of other people that this committee is violating the freedom of speech, that we read this because this is right from the horse's mouth so far as lawyers in America are concerned, the American Bar Association, in the subject matter of the appearance of the Communist Party of the United States before the Subversive Activities Control Board in October, last year.

* * * * *

Mr. DOYLE. May the witness be excused, I will ask, as far as counsel is concerned.

Mr. ARENS. Yes, sir.

Mr. DOYLE. The witness is excused.

Thank you, counsel, for your cooperation.

Mr. ARENS. William Heikkila, please come forward.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEIKKILA. That's right.

TESTIMONY OF WILLIAM HEIKKILA, ACCOMPANIED BY COUNSEL, LLOYD E. McMURRAY

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HEIKKILA. My name is William Heikkila. I live in San Francisco. My occupation is draftsman.

Mr. ARENS. You are appearing today, Mr. Heikkila, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. HEIKKILA. Yes.

Mr. ARENS. May I spell your name so the record is correct, and you can correct me if it is wrong.

H-e-i-k-k-i-l-a, Heikkila?

Mr. HEIKKILA. That is right.

Mr. ARENS. You are represented by counsel, Mr. Heikkila?

Mr. HEIKKILA. I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. McMURRAY. Lloyd E. McMurray, 785 Market Street in San Francisco.

Mr. ARENS. Mr. Heikkila, are you connected with the Northern California Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. HEIKKILA. I decline to answer that question on the grounds that it violates my rights of the first amendment and also, I feel, on the fifth amendment.

Mr. ARENS. Mr. Heikkila, we have a signature card on the Bank of America for the Northern California Committee for Protection of Foreign Born, on which your signature appears, William Heikkila, as chairman of the Northern California Committee for Protection of Foreign Born.

Would you kindly look at that signature card and be good enough to identify that signature as an authentic reproduction of your own signature?

(Document marked "Exhibit No. 600a," see appendix, p. 8165.)

(Representative Gordon H. Scherer returned to the hearing room.)

Mr. HEIKKILA. I decline to answer on the same grounds as the last question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness affixes his signature to a voucher for his per diem, that part of the document bearing his signature be incorporated in the record.

Mr. DOYLE. It is so ordered.

(Document marked "Exhibit No. 600b," see appendix, p. 8166.)

Mr. ARENS. Mr. Heikkila, I invite your attention to a document reproduced from an article appearing in a press publication :

Aid to Aliens, Group Picks 24 Directors.

With reference to a 24-member board of directors of the Northern California Committee for Protection of Foreign Born, including yourself as one of the members of this board of directors.

Kindly look at this document and tell us whether or not that is true and correct.

(Document marked "Exhibit No. 601," see appendix, p. 8167.)

(The witness examines document.)

Mr. McMURRAY. Do you know the date of this document?

Mr. ARENS. 1940. In the San Francisco Chronicle.

(The witness confers with his counsel.)

Mr. HEIKKILA. My answer is the same as previously stated.

Mr. ARENS. Thank you, sir.

I have a copy of the Communist Daily People's World of 1940 on August 30—"Committee Set Up for Foreign Born,"—listing a number of people who have participated in the setting up of a committee called the Northern California Committee for Protection of Foreign Born, including William Heikkila, identified as of the Finnish Club, Western District Committee.

Kindly look at this document, if you please, sir, and see if you can tell us whether or not the facts there are true and correct.

(Document marked "Exhibit No. 602," see appendix, p. 8167.)

(The witness examines document and confers with his counsel.)

Mr. HEIKKILA. Same answer.

Mr. ARENS. Mr. Heikkila, I want to exhibit to you a card of the Fifth Annual Southern California Conference To Protect the Rights of Foreign Born [Americans] held at the Alexandria Hotel in March 1955, in Los Angeles, bearing handwritten "William Heikkila," representing the Northern California Committee for Protection of Foreign Born.

Kindly look at that document and see if you can't help this committee by telling us whether or not you were he and in attendance representing the Northern California Committee for Protection of Foreign Born.

(Document marked "Exhibit No. 603," see appendix, p. 8168.)

(The witness examines document and confers with his counsel.)

Mr. HEIKKILA. I decline to answer on the same grounds.

Mr. ARENS. I have a certified copy here of a document signed by you and in the custody and control of the Immigration and Naturalization Service on a form for petition for naturalization.

In this form we see the following:

Question No. 26:

During the last 10 years I have been a member of the following organizations: International Workers Order, United Office and Professional Workers, Federation of Architects, Engineers, Chemists, and Technicians, CIO—Communist Party.

Kindly look at this document and tell us whether or not that is a true and correct representation or reproduction of a document which you signed in your application for naturalization.

(Document marked "Exhibit No. 604," see appendix, pp. 8169-8173.)

(The witness examines document and confers with his counsel.)

Mr. HEIKKILA. I decline on the same grounds as previously.

Mr. ARENS. Where were you born?

(The witness confers with his counsel.)

Mr. HEIKKILA. I was born in Finland.

Mr. ARENS. When did you come to the United States?

(The witness confers with his counsel.)

Mr. HEIKKILA. 1906.

Mr. ARENS. Were you naturalized as a citizen?

(The witness confers with his counsel.)

Mr. HEIKKILA. I have not yet been naturalized.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness confers with his counsel.)

Mr. HEIKKILA. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. VELDE. How old were you when you came to this country?

Mr. HEIKKILA. 2½ months.

Mr. VELDE. You came here with your parents?

Mr. HEIKKILA. Yes, sir.

Mr. VELDE. You have been here then—When was it you came? In 1906?

Mr. HEIKKILA. 1906.

Mr. VELDE. You have been here 50 years continuously. Or have you made any trips back to Finland or other places outside of the United States?

Mr. HEIKKILA. I decline to answer that on the grounds previously stated.

Mr. VELDE. You have been here that long and never made any attempt to gain citizenship?

Mr. McMURRAY. Is that a question?

Mr. VELDE. Yes. Is that right?

(The witness confers with his counsel.)

Mr. HEIKKILA. That is not correct.

Mr. VELDE. Will you state what is correct then, please?

Mr. HEIKKILA. I have made several attempts to become naturalized.

Mr. VELDE. What has been the reason for your not being able to become a citizen?

(The witness confers with his counsel.)

Mr. HEIKKILA. I have made two attempts to become a citizen. The first time I was unable to fulfill my papers because of the fact that I was wandering around the country during the depression. And my papers at the present time are not yet finished.

Mr. VELDE. You mean one application was made during the depression. When was that made?

Mr. HEIKKILA. I don't remember the exact date.

Mr. VELDE. Did you actually file an application?

Mr. HEIKKILA. Certainly.

Mr. VELDE. I still can't understand why the application wasn't recognized, why it wasn't honored by the courts.

(The witness confers with his counsel.)

Mr. HEIKKILA. The application, as far as I know, was recognized and honored.

Mr. VELDE. Then why is it necessary for you to file a new application?

(The witness confers with his counsel.)

Mr. HEIKKILA. Because the time expired on my first application.

Mr. VELDE. I see. Now you are filing a new application at the present time?

Mr. HEIKKILA. It is pending.

Mr. VELDE. On that application have you answered the question as to whether—Go ahead.

(The witness confers with his counsel.)

Mr. McMURRAY. I think there is no question pending now. I believe that we interrupted you.

Mr. VELDE. No. I wanted him to confer with you.

On your present application have you answered the question as to whether you are a Communist Party member or not?

Mr. HEIKKILA. I decline to answer that on the grounds of the first and fifth amendments.

Mr. VELDE. That is all.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. Pursuing the line of questioning started by Mr. Velde, I am wondering whether the application I have before me is your last application. This is dated March 7, 1945. Is that your last application?

Mr. HEIKKILA. I decline to answer that on the same grounds.

Mr. SCHERER. Now you said you made a number of applications.

I think the witness must answer.

Mr. DOYLE. Yes. I think we are entitled to have a frank answer.

You made a statement that you made a number of applications. Mr. Scherer has given you the date of the one before him. We are certainly entitled in good faith to have a statement of the date of your last application; aren't we?

(The witness confers with his counsel.)

Mr. SCHERER. I ask that you direct the witness to answer my question.

Mr. DOYLE. I direct you to answer the question.

(The witness confers with his counsel.)

Mr. HEIKKILA. I have made no claim to have made a number of applications.

Mr. VELDE. I think the record will show that you didn't answer my question that way.

He tried a number of times to become a citizen. He didn't say he made application, but he said he tried a number of times to become a citizen.

Mr. SCHERER. How many applications have you made?

(The witness confers with his counsel.)

Mr. HEIKKILA. I feel like I wish to decline to answer the question, on the basis of the fifth amendment.

Mr. VELDE. I think he should be directed to answer that question, Mr. Chairman.

Mr. DOYLE. Yes. I thought he heard me direct him to answer that question before.

If you didn't, I now direct you to answer that question as to how many applications you have made for American citizenship.

(The witness confers with his counsel.)

Mr. DOYLE. We have one for 1945. Are there any after that?

Mr. HEIKKILA. I am standing on my privilege under the fifth amendment.

Mr. SCHERER. Didn't I understand you to say before, Witness, that you had attempted a number of times to become a citizen, and then later you said you made 2 applications for citizenship, and 1 is pending now?

Is my recollection of the testimony correct?

(The witness confers with his counsel.)

Mr. HEIKKILA. I decline to answer on the same grounds.

Mr. SCHERER. You mean it would incriminate you to say now whether that was your testimony before this committee? How could that possibly incriminate you?

(The witness confers with his counsel.)

Mr. SCHERER. Nevertheless, that is my recollection of the testimony.

Mr. DOYLE. I think it is correct, Mr. Scherer.

We might have to come back here tomorrow morning after we get the public record and order you back again tomorrow morning because if you made application in San Francisco it is a public record.

Mr. VELDE. In the meantime, Mr. Chairman, I respectfully suggest this, that if he doesn't come back and if he hasn't filed the application for citizenship, as he has testified he has so filed, there is a possibility that he has committed perjury, and this record should be referred to the Department of Justice.

Mr. SCHERER. Let me ask you:

It is my recollection, you said you made 2 applications and that 1 is now pending and hasn't been acted upon.

Were both of those applications made here in the San Francisco area?

(The witness confers with his counsel.)

Mr. HEIKKILA. I decline to answer that question on the same grounds.

Mr. SCHERER. In this application you stated that you had not been absent from the United States? Is that the reason you feel that your answer might tend to incriminate you?

Mr. HEIKKILA. I believe in good faith that I may claim the fifth amendment on this question.

Mr. SCHERER. When you made this application on March 7, 1945, had you been absent from the United States prior to that date since your first admission to this country?

(The witness confers with his counsel.)

Mr. HEIKKILA. I must decline to answer that question on the same grounds.

Mr. SCHERER. Have you left the United States since the date of making this application: namely, March 7, 1945?

(The witness confers with his counsel.)

Mr. HEIKKILA. I must decline to answer this question on the same grounds as previously.

Mr. SCHERER. When you made this application on March 7, 1945, did you tell the truth?

(The witness confers with his counsel.)

Mr. HEIKKILA. Same answer.

Mr. ARENS. Do you mean to tell us today, sir, that you are refusing to tell this committee whether or not you were telling the truth when you signed the affidavit on March 7, 1945, to this application?

(The witness confers with his counsel.)

Mr. HEIKKILA. I decline to answer on the same grounds.

Mr. SCHERER. I may not have it clear.

What did you say was the present status of your application for citizenship?

(The witness confers with his counsel.)

Mr. SCHERER. I should have been listening perhaps more attentively. I didn't get what he said was the reason his application had not been acted upon.

Mr. VELDE. He refused to answer that on the fifth amendment.

Mr. SCHERER. Did he?

(The committee confers.)

Mr. SCHERER. It is difficult to understand how an application could be pending for 11 years. I was wondering whether there was a subsequent application.

Mr. HEIKKILA. I decline to answer that question on the same grounds.

Mr. SCHERER. Are you under deportation order now?

(The witness confers with his counsel.)

Mr. HEIKKILA. Yes.

Mr. SCHERER. Then that is the reason your application for citizenship has been held up; isn't it?

(The witness confers with his counsel.)

Mr. SCHERER. Rather than the reason you gave us before.

(The witness confers with his counsel.)

Mr. HEIKKILA. I think that question calls for some knowledge of law, and I am not a lawyer.

Mr. DOYLE. You have an able one by your side.

Mr. SCHERER. Well, I can't go any further than that in my examination, not knowing whether this was the last application or the first one he made. Maybe we can find out from Mr. Wheeler.

Mr. DOYLE. May I make this brief observation to the committee while we are on that point:

It seems to me that legislatively under Public Law 601 we ought to consider whether or not we are going to recommend to the Immigration Committee some consideration of how many years a person, in the judgment of the official United States, a committee of Congress or of the Justice Department, after having his rights exhausted, can stay in the United States under protracted applications for citizenship. If this is the last one, Mr. Scherer, then this gentleman has been here 11 years since his last application.

Assuming that the evidence before us is true and correct, it is too long in my book for a member of the Communist Party to be able to stay in the United States if he is an alien, after he has been identified as a Communist. That is the way I look at it, sir. We ought to look into that in the field of legislation.

Proceed, Mr. Arens.

Mr. ARENS. Mr. Cleophas Brown, kindly come forward.

Mr. McMURRAY. Is the witness excused?

Mr. DOYLE. Yes, the witness is excused.

Mr. ARENS. Remain standing, please, while the chairman administers an oath to you, Mr. Brown.

Mr. DOYLE. Please raise your right hand and be sworn.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWN. Yes.

Mr. DOYLE. Thank you. Be seated.

TESTIMONY OF CLEOPHAS BROWN, ACCOMPANIED BY COUNSEL, LAWRENCE SPEISER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. BROWN. My name is Cleophas Brown. I live in Richmond, Calif. I work in construction.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BROWN. Yes.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. ARENS. You are represented by counsel?

Mr. BROWN. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. SPEISER. Lawrence Speiser, staff counsel, American Civil Liberties Union of Northern California.

Mr. ARENS. Are you connected with the Los Angeles Committee for Protection of Foreign Born?

Mr. BROWN. No.

Mr. ARENS. Have you ever been connected with the Los Angeles Committee for Protection of Foreign Born?

Mr. BROWN. I refuse to answer that under the right and privileges granted to me under the fifth amendment, as well as my right to free speech and to the right to assemble, to petition the Government, the privilege granted to me under the first amendment of the Constitution of the United States.

Mr. ARENS. Now we display to you a letterhead of the Los Angeles Committee for Protection of Foreign Born, of February 1954, and another one of August 1954, in which your name appears as one of the officials of the Los Angeles Committee for Protection of Foreign Born.

Kindly look at that and tell this committee, if you would, please, sir, if you are appropriately and properly identified there.

(See exhibits Nos. 464 and 433, appendix, pp. 7898 and 7858.)

(The witness examines document and confers with his counsel.)

Mr. BROWN. What are you referring to here?

Mr. ARENS. The letterhead where your left thumb is, about where your name appears.

Mr. BROWN. Under the list of sponsors?

Mr. ARENS. That is right; yes. Do you see your name there?

Mr. BROWN. I decline to respond to the question, based on the rights I have previously stated.

Mr. ARENS. Do you know a man by the name of Charles David Blodgett?

Mr. BROWN. At the expense of appearing repetitious—

(The witness confers with his counsel.)

Mr. BROWN. I wish to decline on the rights and privileges I have heretofore stated.

Mr. ARENS. Charles David Blodgett took an oath before this committee December 3, 1953, and he identified you as a member of the Communist conspiracy. Was Blodgett lying or was he telling the truth?

(The witness confers with his counsel.)

Mr. BROWN. I refuse to associate myself with that testimony on the grounds that it would tend to incriminate myself to respond to it.

Mr. ARENS. Now I have here in my hand the proceedings of the Southern California Conference To Defend the Rights of Foreign Born [Americans] held in Los Angeles in 1953 under the auspices of the Los Angeles Committee for Protection of Foreign Born. A number of people are listed here to give reports of various committees, including Cleophus (Cleophas) Brown.

Please look at this document and tell this committee while you are under oath whether you are the Cleophus (Cleophas) Brown who made that report before the Los Angeles Committee for Protection of Foreign Born in that conference.

Mr. SCHERER. What was the date of that memorandum?

Mr. ARENS. What is the date on there, Counsel?

Mr. SPEISER. February 7, 1953.

(Document marked "Exhibit No. 605," see appendix, pp. 8174-8177.)

(The witness examines document and confers with his counsel.)

Mr. ARENS. Could you help us by seeing if that document refreshes your recollection?

Mr. BROWN. I decline; same grounds as previously.

Mr. ARENS. Now I lay before you a photostatic copy of the letterhead of the Los Angeles chapter of the National Negro Labor Council, president Cleophus (Cleophas) Brown.

Look at this document and see if you are properly designated, and tell this committee while you are under oath whether or not that document truly and correctly and accurately represents the facts.

(Document marked "Exhibit No. 606," see appendix, p. 8178.)

(The witness examines document and confers with his counsel.)

Mr. BROWN. I decline under my privileges granted under the first and fifth amendments.

Mr. ARENS. Now I have a document, the Communist Daily People's World.

The Los Angeles Committee for Protection of Foreign Born today announced a conference on the campaign to repeal the Walter-McCarran law and defend victims of the legislation.

Joining in the sponsorship of this conference, according to this publication is Cleophus (Cleophas) Brown.

Please look at the publication and tell this committee while you are under oath if you are accurately described there in that enterprise.

(See exhibit No. 439, appendix, p. 7863.)

(The witness examines document and confers with his counsel.)

Mr. BROWN. I decline on the same grounds I previously mentioned.

Mr. SCHERER. Witness, this letterhead of the Los Angeles Committee for Protection of Foreign Born, dated February 15, just last year, 1955: you are listed on that letterhead as one of the sponsors of the organization.

Was the organization last year listing you improperly as a sponsor?

(The witness confers with his counsel.)

Mr. SCHERER. Because you have testified you are not now a member of the committee.

Mr. BROWN. I decline to respond to that question or any other prior associations on the grounds I have heretofore stated.

Mr. SCHERER. Were you a member of the Los Angeles Committee for Protection of Foreign Born last year?

(The witness confers with his counsel.)

Mr. SCHERER. You state you are not as of this moment.

Mr. BROWN. Under the pain of continuing to be repetitious, I am forced to decline on the grounds I have already stated.

Mr. SCHERER. Last week were you a member?

Mr. BROWN. The same answer.

Mr. SCHERER. Were you a member at the time, or were you a sponsor of the Los Angeles Committee for Protection of Foreign Born on the date that you received your subpoena to testify before this committee?

Mr. BROWN. I decline on the same grounds that I have heretofore stated.

Mr. ARENS. Now I have three documents I want to exhibit to you. First, is an invitation to a reception for the Northwest Smith Act Defendants, April 4, 1953. Among the sponsors of this group is listed: Cleophas Brown, president, National Negro Labor Council.

(See exhibit No. 441, appendix, pp. 7865.)

Mr. ARENS. The second document is a reproduction of an article in the Daily People's World of April 1950, with reference to an East Bay Civil Rights Congress supporting the Communist Party May Day rally there. It shows the pledge of support by Cleophas Brown, identified as executive secretary to the CRC chapter.

(Document marked "Exhibit No. 607," see appendix, p. 8179.)

Mr. ARENS. The third document is a Nonpartisan Committee for Clemency for the Rosenbergs, and among the sponsors of this committee—Cleophas Brown.

(Document marked "Exhibit No. 608," see appendix, p. 8180.)

Mr. ARENS. Look at those three documents and tell this committee if you are accurately and properly identified in those documents.

(The witness examines documents and confers with his counsel.)

Mr. BROWN. Maybe I can save some time by declining to respond to any of the documents on the grounds heretofore stated.

Mr. ARENS. Also in the Daily World of December 21, 1945, we see Cleophas Brown identified as the circulation manager for the Daily People's World in Richmond.

(Document marked "Exhibit No. 609," see appendix, p. 8181.)

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. ARENS. Kindly look, first, at this one document about the fight against anti-Communist legislation, and, secondly, this document with respect to your identification as circulation manager of the Communist Daily People's World in Richmond, and tell this committee if you are accurately and appropriately described.

(The witness examines documents and confers with his counsel.)

Mr. BROWN. I decline to answer; the same grounds I have heretofore claimed.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. Mr. Velde?

Mr. VELDE. No questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. No questions.

The witness is excused.

(Committee members present: Representatives Clyde Doyle, Harold H. Velde and Gordon H. Scherer.)

Mr. ARENS. Mr. Arnautoff, A-r-n-a-u-t-o-f-f.

Mr. Arnautoff, would you come forward, please, and remain standing while the chairman administers an oath to you?

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. ARNAUTOFF. I do.

TESTIMONY OF VICTOR ARNAUTOFF, ACCOMPANIED BY COUNSEL,
NORMAN LEONARD

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. ARNAUTOFF. Victor Arnautoff, Colma, Calif.; artist-teacher.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ARNAUTOFF. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ARNAUTOFF. That is right.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. LEONARD. Norman Leonard, 240 Montgomery Street, San Francisco.

Mr. ARENS. Where is the establishment in which you teach?

Mr. ARNAUTOFF. Stanford University.

Mr. ARENS. Do you teach at Stanford University now?

Mr. ARNAUTOFF. No. At present I am on leave of absence.

Mr. ARENS. That is sabbatical leave?

Mr. ARNAUTOFF. That is right.

Mr. ARENS. And where is it that you engage in your artist work?

Mr. ARNAUTOFF. I work at home.

Mr. ARENS. What do you teach at Stanford when you do teach there?

Mr. ARNAUTOFF. Live drawing, painting. That is figure drawing, elementary and advanced; painting and printing processes.

Mr. ARENS. Are you on the staff at Stanford now but just in a leave status?

Mr. ARNAUTOFF. That is correct.

Mr. ARENS. Where were you born?

Mr. ARNAUTOFF. I was born in Russia.

Mr. ARENS. Where in Russia?

Mr. ARNAUTOFF. Ukraine.

Mr. ARENS. And when?

Mr. ARNAUTOFF. 1896.

Mr. ARENS. When did you come to the United States?

Mr. ARNAUTOFF. First I came in 1925 as a student, and was a student in California School of Fine Arts.

Mr. ARENS. When did you last come to the United States?

Mr. ARNAUTOFF. I believe it was in 1931.

Mr. ARENS. Are you a citizen of the United States?

Mr. ARNAUTOFF. Yes, sir.

Mr. ARENS. When did you obtain citizenship?

Mr. ARNAUTOFF. 1937.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Dorothy M. Jeffers, J-c-f-f-e-r-s?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. Do you have any evidence that she is a member of the Communist—

Mr. ARENS. You just tell us whether or not you know a Dorothy M. Jeffers.

(The witness confers with his counsel.)

Mr. ARNAUTOFF. In view of the fact that the committee didn't answer my question, I decline to answer.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct you to answer that last question.

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I request the committee once more, the committee tell me if this person mentioned has affiliation, Communist affiliation.

Mr. ARENS. Mr. Chairman, I want the record to be absolutely sure that this witness is now ordered again to answer the question.

Mr. DOYLE. I make that direction and order, Witness, again.

(The witness confers with his counsel.)

Mr. ARNAUTOFF. In view of refusal of committee to make the statement, I decline to answer the question on the fifth amendment.

Mr. SCHERER. Now, Witness, do you know the person named by counsel as a member of the Communist Party?

Mr. ARNAUTOFF. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Mr. Arnautoff, Dorothy M. Jeffers took an oath before the Subversive Activities Control Board in January of this year, and testified. She took an oath. She said, in effect, that while she was a member of the Communist Party she knew you as a member of the Communist Party, and that she attended Communist Party cell meetings with you in which only Communists were admitted.

Was Dorothy M. Jeffers lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer the question on the grounds of the fifth amendment.

Mr. ARENS. She said also that you attended the Marxist-Leninist Institute. Was she lying about that or was she telling the truth?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Do you know anything about the California Labor School? Have you ever been there? The California Labor School?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. Same answer on the same grounds.

Mr. ARENS. Now this young lady, Dorothy M. Jeffers, said that you were one of the persons affiliated there with the California Labor School via the Marxist-Leninist Institute. Is that correct?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline on the same grounds.

Mr. ARENS. Now I want to invite your attention to certain documents. The first is the 24th [Annual] National Conference held under

the auspices of the American Committee for Protection of Foreign Born in Los Angeles, December 8 and 9, 1956. That is just a day or so ago.

I have a list here of a number of people who are going to sponsor this conference in Los Angeles—we just came from there—including Dr. Victor Arnautoff.

Now I want you, while you are under oath, to tell this committee if you were one of the sponsors of this conference held in Los Angeles just yesterday or day before yesterday.

(See exhibit VIII, appendix, pp. 8440-8465.)

(The witness confers with his counsel.)

Mr. ARENS. Would you kindly answer the question.

Mr. ARNAUTOFF. Just a minute.

(The witness confers with his counsel.)

• Mr. ARNAUTOFF. I decline to answer that question, on the same grounds.

Mr. DOYLE. Mr. Arens, could I interrupt right at that point, please.

Did you know that the executive secretary of the Los Angeles Committee for Protection of Foreign Born, the present executive secretary, was convicted over 2 years ago before an American jury in Los Angeles in the Federal court for violation of the Smith Act, which deals with the advocacy and teaching of force and violence to overthrow this Government? ¹ Did you know that? That is this committee that you apparently are a sponsor of, so far as the printed literature is concerned.

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I must decline to answer that question, on the same grounds of the fifth amendment.

Mr. SCHERER. Do you think it would make any difference if he did?

Mr. DOYLE. I would think it would make a difference with a man of this broad education, who was a sponsor of a committee for two years and a half. He should be charged with knowledge, certainly as a sponsor of this committee, that he is helping to raise money to pay the salary of a convicted Communist in the United States courts.

Mr. SCHERER. It might make a difference with some individuals, but this witness himself has been identified as a Communist.

Mr. DOYLE. Granted. But he is also on leave from a great university. It should make a difference.

Mr. ARENS. Is it Dr. Arnautoff?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. No. It is Mr. Arnautoff.

Mr. ARENS. Are you sometimes alluded to as Dr. Arnautoff?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. Not as far as I know.

Mr. ARENS. See if this helps you.

This is an open proclamation by the American Committee for Protection of Foreign Born. A number of people are protesting the McCarran-Walter Immigration and Nationality Act, or the immigration laws, I should say, including Dr. Victor Arnautoff of San Francisco.

Look at that and see if you recall joining in that enterprise.

¹ See footnote, p. 6823.

(Document marked "Exhibit No. 610," see appendix, p. 8182.)

(The witness examines document and confers with his counsel).

Mr. ARNAUTOFF. I decline to answer that question on the same grounds of the fifth amendment.

Mr. ARENS. I lay before you a document, the Daily Worker of April 1953. It has a picture of Senator McCarran there, whom I knew personally as one of the greatest patriots that this country ever produced.

The caption of this says: "McCarran Law Repeal Urged by 93 Notables." They have a list of things that these 93 notables want done as announced by the American Committee for Protection of Foreign Born.

Among those 93 notables who are urging the repeal of the Walter-McCarran Act, is Dr. Arnautoff.

Look at that and see if you recall joining in that enterprise on April 3, 1953.

(See exhibit No. 344a, b, appendix, pp. 7710, 7711.)

Mr. ARNAUTOFF. Would you mind to restate the question?

Mr. ARENS. Yes. Did you sign that letter?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the grounds of fifth amendment.

Mr. ARENS. I have a letter that is addressed to Congressmen. It is addressed to the then chairman of the Senate Judiciary Committee of the United States, and also to the then chairman of the House Judiciary Committee, in Washington, D. C., stating that there is an aroused public sentiment against the Walter-McCarran law that exists all over the country, and, in widespread opinion, the law is racist, discriminatory, and inhuman, and must be corrected and repealed.

Among those that signed this letter to the two committees of the Congress is Dr. Victor Arnautoff, San Francisco. Did you sign that letter?

(See exhibit No. 169a, appendix, p. 7400.)

(The witness examines document and confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the same grounds.

Mr. ARENS. Now I have still another exhibit, the 20th Anniversary National Conference of the American Committee for Protection of Foreign Born, to be held in Chicago, bearing the name of Victor Arnautoff as one of the sponsors.

Look at this document and see if you could kindly verify the authenticity of your identification there.

(See exhibit III, appendix, pp. 8303-8316.)

(The witness examines document and confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the same grounds.

Mr. ARENS. Now the Daily People's World of October 1952, tells about a committee that was formed to get bail for Martin Young, a Citizens' Committee to Secure Bail for Martin Young. And it issues a statement urging bail for this man. He was held on Ellis Island as a Communist. California signers, according to this, include Victor M. Arnautoff.

Look at that and see if you recall signing that petition.

(Document marked "Exhibit No. 611," see appendix, p. 6182.)

(The witness examines document and confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the same grounds.

Mr. ARENS. Now I have still another one: "280 National Leaders Ask Truman Amnesty for Jailed Communists."

The Communist Daily Worker of December 1952.

An appeal requesting the President to grant amnesty to the leaders of the Communist Party convicted under the Smith Act has been made by 280 prominent Americans.

Among those 280 prominent Americans who made this appeal, according to this publication, Daily Worker, is Dr. Victor Arnautoff, who is identified as the president of the Russian-American Society in San Francisco.

Were you president of the Russian-American Society in San Francisco?

(Document marked "Exhibit No. 612," see appendix, pp. 8183, 8184.)

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the same grounds.

Mr. ARENS. Now I have still another one: "S. F. Notables Score Violation of Rights" in which a number of people are scoring the violation of rights because of witch hunts, the general tenor being that the congressional committees, such as this committee, are engaged in witch hunts when they are going out after Communists. Among those that are doing all this scoring of the violation of rights are certain professors, including Victor Arnautoff.

Look at this and see if you are one of those that were out to score this committee and other committees because of their witch hunts.

(Se exhibit No. 526b, appendix, p. 8033.)

(The witness examines document and confers with his counsel.)

Mr. ARNAUTOFF. Would you mind to restate the question?

Mr. ARENS. Is that you who signed that statement there?

Mr. ARNAUTOFF. I decline to answer, on the same grounds.

Mr. ARENS. For whom do you do this artistic work of yours? A firm or establishment, corporation, or somebody that engages you to produce these artistic creations?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I am free-lancer working for myself.

Mr. ARENS. Have you ever worked for the government agencies here in California, any government agencies?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I do not recall that I have.

Mr. ARENS. Have your works been exhibited in the San Francisco area by the San Francisco Art Commission?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. Yes, it was.

Mr. ARENS. I have here a photograph of one of your creative enterprises. It is with reference to the Vice President of the United States.

According to this article here, you had a little creative work of yours in the artistic field of the Vice President, in which you show him depicted here with a pumpkin in one hand and a mask over his face and a smear brush in the other.

Can you tell us, now that you have been identified as a member of the Communist Party, whether or not you authored or are the artist who created that little work?

(Document marked "Exhibit No. 613," see appendix, p. 8185.)

(The witness examines document and confers with his counsel.)

Mr. SCHIERER. They still resent the pumpkin papers, don't they?

Mr. ARNAUTOFF. Would you mind to restate the question?

Mr. ARENS. No. I would like to have it just like it is now.

In view of the fact that the record now shows that you have been identified by a live witness under oath as a member of the Communist conspiracy, would you now tell us: Are you the author, are you the artist who created that little creative effort there? That picture is the Vice President with a smear brush in his hand?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I made that picture appear.

Mr. ARENS. And at the time you were painting that picture were you a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. And did you paint this picture smearing the Vice President of the United States under direction of the Communist Party of the United States?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question, also on the same grounds.

Mr. ARENS. Are you at this instant a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. Same answer; same reasons.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Velde, any questions?

Mr. VELDE. I have no questions, but make the same observation I did with reference to Mr. Grossman's testimony here.

This witness—Mr. Arnautoff—has been a well-known Communist here on the west coast for a long time. And I have had previous experience with him when I was an agent of the FBI here in the Bay area back in 1943, 1944, and 1945.

Any professional man, as I said before, is in a position to do much harm to our country, as I am sure this witness is, and he would do harm to this country if he had the opportunity.

Mr. SCHIERER. Did you receive any pay for drawing this cartoon of the Vice President?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I did not receive any pay for drawing the picture.

Mr. SCHERER. Did you get any compensation, either directly or indirectly, from the Communist Party for drawing this picture?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I don't know what "directly or indirectly" means. Would you mind to restate your question specifically?

Mr. SCHERER. Did you collaborate with anybody in the Communist Party with reference to the drawing of this picture?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I made that picture myself, period.

Mr. SCHERER. Did you have any discussion with any member of the Communist Party about the making of the picture?

I didn't say that you didn't actually draw it.

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the grounds of the fifth amendment.

Mr. SCHERER. It is obvious that the Communist Party had a hand, in addition to your Communist hand, in the preparation of that cartoon.

The Communist Party has been after Dick Nixon ever since he uncovered the pumpkin papers. It has been continuing until this very moment by Communists such as you. They resented it when Nixon as a member of this committee, uncovered their fair-haired boy Alger Hiss, and the long list that followed him; those who attempted to subvert the Government of the United States for a foreign power. And you are continuing. We have always said it, and here is proof of it.

Mr. VELDE. I would like to ask did you get a personal satisfaction out of drawing that smear picture?

Mr. SCHERER. Sure. Obviously. He got a personal satisfaction out of it now. He thinks it is funny.

(The witness confers with his counsel.)

Mr. DOYLE. Well, beneath the cartoon it says this:

Drawn by Victor Arnautoff, Stanford University art instructor. It was ordered removed from art exhibit.

I should think it would be.

Mr. VELDE. How long have you been a professor at Stanford?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I have been in since 19—professor. I got a professorship, I believe, during the war. I do not remember—

Mr. VELDE. All your teaching experience?

Mr. ARNAUTOFF. All my teaching? The first was summer session, 1937.

Mr. SCHERER. Were you on the board that selected the artists for this work of art in the post office that has been an undertaking?

(The witness confers with his counsel.)

Mr. DOYLE. The WPA artists. Was that it?

Mr. SCHERER. What did they call it?

Mr. ARNAUTOFF. Yes, I was a member of the jury.

Mr. SCHERER. A member of the jury that made the selection of the artist who was to do the job? Or the artist who would do the job?

Mr. ARNAUTOFF. Correct.

Mr. ARENS. In this picture what is the significance of this pumpkin that shows up in the work that you portrayed?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I don't think that my work as an artist is the proper concern of this committee.

Mr. ARENS. Did you learn about this pumpkin through Communist Party channels?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I decline to answer that question on the ground of the fifth amendment.

Mr. SCHERER. When did you say you were naturalized?

(The witness confers with his counsel.)

Mr. ARNAUTOFF. I believe it was 1937.

Mr. SCHERER. And you were born in Russia.

I am going to suggest, if it has not already been done, that the testimony of this witness be referred to the Department of Justice to consider the possibility of commencing denaturalization proceedings.

Mr. VELDE. I certainly agree with you, and concur with you in that, Mr. Scherer.

Mr. DOYLE. Any other questions, Mr. Arens?

Mr. ARENS. No; thank you, sir.

Mr. DOYLE. The witness is excused.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of all witnesses at the San Francisco hearings.

Mr. DOYLE. Before the committee proceeds further, I want to take about 2 minutes, and I feel it is appropriate. And I do hope that you people will remain in your chairs just for a moment as a matter of courtesy. It will be helpful to us. The committee is not yet adjourned, and we won't be more than 2 or 3 minutes.

I want to publicly thank, first, on behalf of the congressional committee, the distinguished Federal jurist, Judge Roche, in whose courtroom we have met, and his staff; the United States marshal in San Francisco and his able staff; the San Francisco Bay area press which has been, as always, very courteous and cooperative with us in trying to get the facts; the gentlemen in the room who have been in control of the communications system; the local police and also the local sheriff's office as well as the other police officials in this area who have cooperated with us.

I want, also, to commend the members of the bar who appeared before us yesterday and today. And it is a might happy situation we find ourselves in, able to commend every member of the bar who has appeared before us for his cooperation with the rules of the committee. I think with the exception of one.

Mr. SCHERER. I was going to say I don't concur.

Mr. DOYLE. And I wish to say that the committee has specifically noted times when members of the San Francisco bar, in the chair by their witnesses, have deliberately cooperated, that their witnesses might be brief and yet protect his rights, and also that the witness might observe the rules of the committee. We appreciate that, mem-

bers of the bar, because all three of us are members of the bar in our respective States.

These hearings of a subcommittee of the Committee on Un-American Activities have impressed the subcommittee as among the most constructive we have had during this current series of investigations.

The testimony of customs officials who appeared here, together with that of Mr. Caldwell, demonstrates further the concerted global Communist propaganda campaign being directed against the people of the United States within the United States as to their constitutional form of government.

It is apparent that legislative action must be undertaken to require labeling of the flood of Communist propaganda that is coming into this country, the distribution of which is being financed to a considerable extent by the subsidies of the American taxpayers.

The information which we have received here shows the problem is an extremely extensive one and that the west coast of the United States ranks with the east coast as the target for subversive Communist material.¹

We have also received testimony that confirms further the nationwide pattern of Communist political subversion directed against the security laws of the United States. Sworn testimony of the witnesses before this committee during the past 2 days shows conclusively again that the Communist Party in the United States has no concern with the genuine merits of Federal legislative statutes or action but is seeking solely to enlist the American people in a fraudulent campaign through Communist Party fronts which would, if successful, denude our Nation of every legal and constitutional defense it has against the subversive conspirators who serve the Kremlin.

And at this point may I interpolate and say I certainly want to emphasize how very much we appreciate the cooperation of the listening public who have been in the courtroom with us yesterday and today.

I want you to know that we appreciate your cooperation with the committee in order that the witnesses and counsel could be heard.

It is tragically apparent that there exists a number of American citizens who would deliberately pervert our democratic procedures in the enterprise of international Communist conspiracy. It is absolutely necessary that the Congress of the United States can recognize and be able to know who all the people are and all the interests are who petition the United States Congress so we can identify their respective interests and, by being able to do so, legislate more intelligently and with more justice and so we can separate those who have patriotic motives under our laws and institutions and who defend and perpetuate the American constitutional form of government as distinguished from those who knowingly are subservient to the subversive, diabolical, Communist international conspiracy to disregard and destroy constitutional privileges and for changing our United States Constitution which guarantees our American civil rights, and substitute therefor, as our high courts have uniformly held, a foreign Communist dictatorship under the control of a foreign Soviet ideology which is now and for several weeks last past has been actually murdering thousands of Hungarian men and women and children seeking freedom from the international Communist control.

¹ See Investigation of Communist Propaganda in the United States—Part 3 (Foreign Propaganda—Entry and Dissemination in San Francisco, Calif., Area) December 10–11, 1956.

The committee stands in adjournment.

Mr. VELDE. Mr. Chairman?

Mr. DOYLE. Yes, sir.

Mr. VELDE. May I make a few very brief remarks, please?

Mr. DOYLE. Go ahead.

Mr. VELDE. First of all, I want to compliment you, Mr. Doyle, for your extreme fairness and courtesy shown to all witnesses here, and the tolerance that you have had, and which you have maintained throughout these committee hearings.

I want to say that it has been nice to be back in San Francisco again. I haven't been here since 1953 when we held our hearings here before, as you remember.

Mr. DOYLE. I do.

Mr. VELDE. And I appreciate the courtesy of the people of San Francisco shown the committee.

I want to say to Mr. Scherer that I have certainly enjoyed serving on this committee with him here and in Los Angeles and in Chicago.

As you know, I have chosen not to run for reelection, and will not be with you again when you convene in the 85th Congress. But I do ask, for the good of America, that you continue the great work—and this goes for all the rest of the members of the Committee on Un-American Activities—that has thus far so nobly been advanced.

Especially, Mr. Scherer, as you were mentioning this morning, I think it is vital that legislation be passed so that witnesses like Lou Goldblatt can be successfully prosecuted for contempt of Congress.

To me it is ridiculous and absurd that any witness before this committee can attack either the counsel or members of a committee, using profanity, as this Lou Goldblatt has done.

Certainly, if he had been in a court of law, as we all know, he would have been thrown in jail right now without benefit of further argument.

Then I would like to say this with respect to our committee counsel, Richard Arens and other members of the committee staff:

He has, as we all are aware, great astuteness and legal ability, and I want to compliment him on his patience in handling the witnesses here today. I think he demonstrated that in handling the witness Goldblatt very successfully; also Bill Wheeler and Don Appell, who are the oldest in point of service as investigators of this committee. As you know, Bill Wheeler has been out on the west coast for a number of years. Through his friendliness and contacts with various intelligence agencies, police officers, and United States marshals on the west coast, he has done a great service to this community to bring information that would enable this committee to operate more successfully.

And then to Jackson Jones, an investigator on this committee, who has been very instrumental in handling these San Francisco hearings, and Richard Weil. They are also to be commended. And, finally, last but not least, to our very able reporter, Don Johnston, who I imagine was frustrated a number of times.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I had not intended to say anything, but I came to the Congress and this Committee on Un-American Activities when Harold Velde was chairman of this committee during the 83d Congress.

Harold, I might say that this is the last committee session that you are participating in as a Member of Congress. Needless to say, you have rendered a tremendous service to the community and the Nation during your membership on this Committee on Un-American Activities.

I regret exceedingly, and I know both Republicans and Democrats on this committee regret, that you have seen fit to leave the Congress. The country owes you a great debt of gratitude for your splendid service.

Mr. DOYLE. May I cordially join Mr. Scherer in his remarks about the gentleman from Illinois.

May I just say to you folks who are in the room with us, this is an illustration of one of your committees functioning. I am a Democrat, as you all know, and these two gentlemen to my left and right happen to be members of the Republican Party. But there is no partisan line in this committee. And this ought to be an illustration or demonstration of the fact that on this committee we have an American job to do and not a partisan job to do, either as Democrats or Republicans.

The committee stands adjourned, and we go to Seattle tomorrow morning.

Mr. SPEISER. Are the witnesses excused?

Mr. DOYLE. The witnesses are all excused.

(Whereupon, at 5:10 p. m., the subcommittee was recessed, to be reconvened at 10 a.m., Thursday, December 13, 1956, in the City-County Building, Seattle, Wash. Committee members present: Representatives Doyle, Velde, and Scherer.)

COMMUNIST POLITICAL SUBVERSION

THURSDAY, DECEMBER 13, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Seattle, Wash.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to recess at 10 a. m., in the Council Room, County-City Building, Seattle, Washington, Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, of California and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director; William A. Wheeler and Donald T. Appell, investigators; and Richard S. Weil, staff member.

Mr. DOYLE. The committee will please come to order.

Let the record show that by reason of the provisions of Public Law 601, 79th Congress, the chairman of the committee, Francis E. Walter, of Pennsylvania appointed for the purpose of this hearing, a subcommittee of three, consisting of Mr. Velde of Illinois, who is not present this morning—he necessarily left the committee after the San Francisco hearings—Mr. Gordon Scherer of Ohio, who sits to my right, and myself, Representative Clyde Doyle of Los Angeles County, as subcommittee chairman.

Let the record show that Mr. Scherer and Chairman Doyle are both present, therefore, a legal quorum of the subcommittee is present.

May I say that, under our rules and under the rules of the House of Representatives, now it is required, and properly so we believe, that at least two members of Congress sit in every investigating committee where a witness is testifying under oath.

Let the record show that pursuant to authorization, therefore, of Chairman Walter, authorized by Public Law 601, the public hearings are being held at this time.

Our hearings in this great city will go further into the current campaign of political subversion which the Communist Party, and possibly Communist-controlled fronts, and its confederate organizations, are conducting throughout our great Nation. This committee has already held hearings in Chicago, Washington, D. C.; Youngstown, Ohio; and during the last week in Los Angeles and San Francisco.

Sworn testimony which we have received in these hearings shows as clear as crystal that the Communist Party campaign of political

subversion now in vogue, ranks today as one of the greatest threats of the Communist Party and its confederate subversives to our constitutional form of Government. The American Communist Party, though a corps of militant revolutionaries, is attempting to rob the United States of America of its legal defenses as they now exist in Federal statutes against ultimate conquest by an alien conspiracy and a foreign power which directs the Communist Party and its confederates in the United States of America.

More appalling, however, is the fact the Communists and their confederates, either knowingly or unknowingly, by propaganda and infiltration subversively and always in contempt of our United States Constitution, are seeking at all times to enlist the services of well-meaning American citizens in this illicit, diabolical undertaking.

The activities of the Communist Party in the United States and a multitude of subversive Communist front organizations, some members of which are unsuspecting of the real subversive control of those organizations, but which the Communist Party has created for their subversive purposes, are directed against such existing Federal statutes as the Smith Act, the Internal Security Act, the Communist Control Act, and with a special vehemence against the provisions of our existing Immigration and Nationality Act, which provides, among other things, for the deportation of alien Communists who have obtained residence in the United States by misrepresentation and who maintain allegiance still to the Kremlin instead of to the United States of America.

I want to make it clear that we are not engaged in these hearings in considering the merits or the lack of merits of any particular Federal statute. Furthermore, we are not and never have, and never will, contest the right of any American citizen to either individually or to organize in behalf of, support of, or opposition to, any particular law.

Such political activity is a constitutional inherent, fundamental right under the United States Constitution. This committee and all American Congressmen are sworn to uphold that right and always will uphold that right.

As a rule in these hearings, we are not confronted with sincere citizens who seek to participate in good faith and patriotically in the process of our Constitutional form of Government. We are confronted, rather, with a group of people, unfortunately, who hold these very democratic constitutional processes in deliberate contempt, and who contrive to use them to advance the operation of an illegal subversive Communist conspiracy which is clearly dedicated to the destruction, even to the extent of force and violence in some cases, of all democratic processes as is proven time and time again in the jury trials and other court trials throughout our Nation.

The Congress is entitled to know at all times—and I am sure any thinking patriotic American citizen will agree with us—that the United States Congress is at all times entitled to know the identity and the true interests of all persons who petition Congress for a change of any sort in existing Federal legislation. Only if Congress knows who it is dealing with, and what the real interests of a petitioner before Congress are, can we in Congress discharge with dispatch, with justice, with soundness, and with fairness, our duties as legislators for all the American people.

A number of witnesses before this committee during this series of hearings have charged that we have no legislative purpose. I don't want to dignify that by making any extended answer because the charge is false and known to be false. Public Law 601 expressly states that as one of the purposes for the existence of this committee. Without such hearings there would be no Smith Act, nor any Communist Control Act. There would be no weapon by which the United States Government could adequately defend itself as it now can.

I would also like to point out that the Committee on Un-American Activities was first created as a regular standing committee by the 79th Congress in 1946. It has been reestablished ever since then. In other words, by the 79th Congress, by the 80th Congress, 81st Congress, 82d Congress, 83d Congress, 84th Congress and by the 85th Congress. The full committee consists of nine members. Public Law 601 expressly authorizes the creation of subcommittees like this one here this morning. The committee has established its rules of procedure, as is well known. We expect that, as a result of these hearings, this subcommittee of the Committee on Un-American Activities and the full committee will be better able and equipped to consider legislative recommendations to the next Congress in January, which will be of further aid to our Government in combating the Communist apparatus in this area, and that the information obtained here will serve to further alert the well-meaning, patriotic people of the Seattle-Portland area, and the United States as a whole, of the forces which subversively seek the destruction of our constitutional form of government.

Before we proceed I would like to cordially state that it has come to our attention, and we are pleased to have it so, that some of the witnesses appearing here this morning will be represented by very eminent, very respected, and able members of the Seattle Bar Association.

And I make clear the fact that these members of the Seattle Bar Association who have been assigned to do this representation as attorneys today and tomorrow are doing so in accordance with their oath which requires them to appear, if one has to, for any person who is clearly indigent or who is believed to be indigent and, therefore, not able to employ counsel on such an occasion.

Their appearance before this committee—I refer to the attorneys of the local bar association who are acting without compensation—is in no way to be construed as a reflection on either their motives or their integrity.

On behalf of the committee I wish to compliment the members of the Seattle Bar Association on performing this part of their oath as lawyers.

(See statement of John N. Rupp, president, Seattle Bar Association, pp. 7015, 7016 of testimony.)

Mr. SCHERER. May I interject a word or two?

Mr. DOYLE. Yes, Mr. Scherer.

Mr. SCHERER. There should be no reflection attached to any other lawyer who appears on behalf of a client and who is paid by that witness to represent him in this hearing. I think you should state that.

Mr. DOYLE. Thank you for adding that.

Mr. SCHERER. Unless it is otherwise shown to the contrary.

Mr. DOYLE. I think that it might interest the members of the bar to know that Mr. Scherer and I both are lawyers of many years of prac-

tice before we went to Congress 7 and 10 years ago in respective cases.

Of course there is no smoking in the room during the sessions of the committee.

If you will pardon just a personal word at this point by me, I wish to state it is always a pleasure to return to Seattle. I have a great fondness for Seattle and this area because, when I was a boy in the grammar grades, I had the pleasure of attending and graduating from University Heights Grammar School in Seattle, Wash. Ever since I have had a great fondness for Seattle and the great Northwest.

As a matter of local history, I might state that I recall very definitely I was a babysitter in those days in the home of the distinguished president of the University of Washington, President Landes, and that means in the home of one of your distinguished mayors of Seattle, now deceased, Bertha K. Landes. Then, of course, some of you know that the home in which I lived when I was here was the home of a very distinguished minister of the gospel, Rev. Thomas C. Wiswell, pastor of University Heights Congregational Church.

So if you will pardon that personal reference, Mr. Scherer, this is one reason why I am a little glad to get you back here, so you can see the beauties and advantages of this great Northwest. And I am glad to bring you the greetings of my native State of California, and of my great county of Los Angeles.

Are you ready to proceed, Mr. Arens?

Before we do that, and so we will save time, I want to call to the attention of the bar, especially, and the witnesses, a couple of rules of the committee that have been in effect for many years. I read rule VII:

At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

Rule VIII:

Counsel for a witness shall conduct himself in a professional, ethical, and proper manner. His failure to do so shall, upon a finding to that effect by a majority of the committee or subcommittee before which the witness is appearing, subject such counsel to disciplinary action which may include warning, censure, removing from the hearing room of counsel, or a recommendation of contempt proceedings.

In case of such removal of counsel, the witness shall have a reasonable time to obtain other counsel, said time to be determined by the committee. Should the witness deliberately or capriciously fail or refuse to obtain the services of other counsel within such reasonable time, the hearing shall continue and the testimony of such witness shall be heard without benefit of counsel.

Therefore, may I suggest that if any counsel has anything to say at any time to the committee, say it during the recess period of the committee or before the committee begins work. Because we do not have time to grant time to counsel to speak directly to the committee.

One further point: Under Public Law 601, I read:

The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin, and attacks

the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

* * * * *

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States—

I wish you to note this, please—

whether or not the House is sitting, has recessed or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

Mr. SCHERER. That last, you are reading from is not from the rules of the committee, but from the public law of the Congress creating the committee.

Mr. DOYLE. Public Law 601, which has been standing as a matter of public law just as it is ever since 1946.

Are you ready to proceed, Mr. Arens?

Mr. ARENS. Yes, sir.

Burt Nelson, kindly come forward. Would you please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Mr. Nelson, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NELSON. I do.

Mr. DOYLE. Please take the chair there.

TESTIMONY OF BURT NELSON, ACCOMPANIED BY COUNSEL, JOHN M. RUPP

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NELSON. My name is Burt Nelson. I live at 1218 Westlake, North, Box 25.

Mr. ARENS. And your occupation, please, sir?

Mr. NELSON. I decline to answer this question.

Mr. ARENS. Why?

Mr. NELSON. On the following grounds: That it has no legislative purpose, and in claiming the privilege and the right of the first amendment to the Constitution, I assert, as does the first amendment to the Constitution, that Congress shall pass no law respecting and establishment of religion, or the practice thereof, nor any abridgment of the right of freedom of speech, of press, the right of the citizens to peacefully assemble and to petition for redress of grievances. And further, on the grounds of the ninth amendment, and of the fifth amendment, which provides, among other things, that no one shall be required to testify against themselves in any manner, way, shape, or form. And on the grounds that it might incriminate me.

Mr. ARENS. Mr. Chairman, for the purpose of ascertaining whether or not this witness is invoking the fifth amendment in good faith, I now ask you, Mr. Witness, do you honestly apprehend that if you told this committee truthfully what your occupation is, you would

be supplying information which might be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. NELSON. Yes.

Mr. ARENS. Thank you sir.

And you are today appearing in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. NELSON. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. NELSON. I am.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. RUPP. I am sorry, Mr. Arens. I should have done that before.

Mr. ARENS. No, this is proper procedure. At this point, if you please, sir.

Mr. RUPP. My name is John M. Rupp, R-u-p-p. I am appearing in a representative capacity for Mr. Nelson, also as president of the Seattle Bar Association, the organization to which the chairman alluded in his opening statement.

Mr. ARENS. Mr. Nelson, how long have you occupied your present position?

Mr. NELSON. I decline to answer this question for the following reasons: That it has no legislative purpose, and in claiming the right and privilege of the first amendment, I assert that the Congress of the United States shall make no abridgment of the right of the people to peacefully assemble and petition for redress of grievances. On the grounds of the ninth amendment, which provides the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. And on the grounds of the 10th amendment which, among other things, provides the powers not delegated to the United States, or prohibited to the States, are reserved to the people.

Mr. SCHERER. Mr. Chairman, may I suggest—

Mr. NELSON. And further—

Mr. SCHERER. I am sorry. Go ahead.

Mr. NELSON. On the grounds of the fifth amendment, which, among other things, provides that no one shall be denied life, liberty, and the pursuit of happiness without due process, which includes a trial by jury, the right to examine witnesses, to cross-examine, to test the validity of the allegations and the integrity of he who makes the allegations.

Mr. DOYLE. Mr. Nelson—

Mr. NELSON. And on the grounds that it might incriminate me.

Mr. DOYLE. Now that you have made it clear what you intend to plead, with your plea of the first and fifth and ninth and your constitutional privileges, may I request or suggest that, in your answers where you do intend to plead your constitutional privileges, you just state that you plead all your constitutional privileges, just as you have before, and we will accept that as sufficient plea of your constitutional privileges.

(The witness confers with his counsel.)

Mr. SCHERER. I think, Mr. Chairman, if he indicates clearly that he is invoking the fifth amendment, I think he should say "for the reasons I have previously stated, including the fifth amendment."

Mr. DOYLE. Of course.

Mr. ARENS. Mr. Nelson, as the chairman made clear in his opening statement, the Committee on Un-American Activities is in the process of developing factual information respecting Communist political subversion, the efforts of the Communist conspiracy to destroy the security laws of this country. With that end in view, there is now being displayed to you a document entitled "Coalition for Freedom and Democracy, a Report of the Washington State Committee of the Communist Party, November 1955." Kindly look at that document and tell us first of all whether or not you have ever seen it before.

(Document marked "Exhibit No. 614," see appendix, pp. 8186-8203.)

(The witness confers with his counsel and examines document.)

Mr. ARENS. Mr. Chairman, while the witness is perusing the document, may I respectfully suggest that each of the several exhibits shown to the witness will by general order be appropriately marked and will be either incorporated in the appendix or by reference, as the case may be.

Mr. DOYLE. I will now make that order.

Mr. ARENS. Would you kindly answer the question.

Mr. NELSON. I decline to answer the question for the following reasons—

Mr. DOYLE. May I ask your cooperation at this point. To follow my suggestion for the purpose of saving your time and everyone else's, that you not undertake to take time to again repeat the way you have twice—

Mr. NELSON. I decline for the reasons that I have previously stated.

Mr. ARENS. This document, which sets forth the program of the Communist Party on legislation, includes a drive to destroy the Internal Security Act, the Immigration and Nationality Act, the Smith Act, and hearings by congressional committees, alluded to here as Velde hearings, Velde being a former chairman of this committee.

While you are under oath, Mr. Nelson, please tell this committee, if it is not a fact that you were one of the instigators and formulators of this program of the Communist Party of the State of Washington.

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer the question specifically on the following grounds: That Congress shall make no law—

Mr. DOYLE. Mr. Nelson, may I admonish you, we will appreciate getting your cooperation. I have stated that this committee will consider it sufficient if you will plead your constitutional privileges. You have made your valued statements, I am sure, in the last three answers elaborating on it.

Mr. NELSON. Specifically, I would like to state in response to this question the following reasons: That Congress shall make no law abridging the right of the people to peaceably assemble and petition for a right of redress in any manner, particular, or respect, and for the additional reasons that I have previously stated.

Mr. ARENS. You understand, Mr. Nelson, I wasn't asking you or suggesting that any group did not have a right to petition Congress. I was only asking you in the question whether or not to your certain knowledge the Communist conspiratorial apparatus had these particular objectives set forth in that document which was displayed to you.

Now we want to display to you a document from the Communist Daily People's World, an article appearing in the issue of Friday,

February 17, 1956. This article says: "Nelson to head Communist Party in State." The body of the article contains the following language:

Election of Burt Nelson, veteran Seattle maritime union leader, as chairman of the Washington State Communist Party, was announced this week by the party's State committee.

and so forth.

Kindly look at that article and tell this committee while you are under oath, whether or not that article makes a correct recitation of the facts.

(Document marked "Exhibit No. 615," see appendix, p. 8204.)

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer the question on the grounds previously stated.

Mr. ARENS. Now are you connected with the Washington State Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer this question—

Mr. ARENS. What is the relationship between the Washington State Committee for Protection of Foreign Born and the Communist conspiracy in this State?

Mr. NELSON. You interrupted me.

Mr. ARENS. I beg your pardon. I apologize.

Mr. NELSON. On the grounds that I had previously stated.

Mr. ARENS. Yes. Now tell us what is the connection between the Washington State Committee for Protection of Foreign Born, to your certain knowledge, and the Communist conspiratorial apparatus in this State.

Mr. NELSON. I decline to answer this question for the following reasons: It has no legislative purpose, it is a leading, exploratory question and I assert the provisions of the first amendment, that Congress shall pass no law respecting peaceful assembly of people to petition for right of grievance, and under those—

Mr. DOYLE. Excuse me. Mr. Nelson, I have the full text of the United States Constitution right here. So if you will just identify the section of the Constitution that you rely on, we have the full text right here, and even if we didn't have, we should know the Constitution.

Mr. NELSON. And on the further grounds of the fifth amendment.

Mr. ARENS. Now, Mr. Nelson, we lay before you a photostatic copy of the Daily Peoples World of April 27, 1956, in which an article appears, part of which reads as follows:

MAY DAY DINNER SLATED

A panel discussion by Washington State Communist Party leaders and a question period will feature a May Day festival and dinner, at the Casa Italiana, 1520 17th Street.

Subject of the panel talks will be the 20th Congress of the Communist Party of the Soviet Union, and the 1956 elections. Those participating will be Burt Nelson, State chairman—

and so forth.

Kindly look at that article of the Communist Daily People's World and tell this committee while you are under oath whether or not the facts there are, to your certain knowledge, accurately set forth.

(Document marked "Exhibit No. 616," see appendix, p. 8204.)

Mr. NELSON. I decline to answer this question on the grounds that I have previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that in the presence of this witness, another witness be called, Mrs. Barbara Hartle. Will you kindly come forward.

Mr. ARENS. Mrs. Hartle, will you please come forward.

Kindly remain standing while the chairman administers an oath to you.

Mr. DOYLE. Mrs. Hartle, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HARTLE. I do.

Mr. DOYLE. Please take a seat.

TESTIMONY OF MRS. BARBARA HARTLE

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. HARTLE. Barbara Hartle, Route 1, Box 2, Evans, Wash. I have no employment. I work on the farm and in the house of my father.

Mr. ARENS. Mrs. Hartle, I expect a little later on to interrogate you at length on a number of matters, but for the present I should like to ask you now, Have you ever been a member of the Communist Party? And during what period of time were you a member of the Communist Party?

Mrs. HARTLE. From the winter of 1933-34, until March 12, 1954, at which time I renounced the Communist Party.

Mr. ARENS. During the course of your membership in the Communist Party, did you have occasion to know a person by the name of Burt Nelson?

Mrs. HARTLE. Yes.

Mr. ARENS. Did you know him as a Communist?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Do you swear while now under oath, to your certain knowledge, that Burt Nelson was a Communist during the experience of yourself in the Communist conspiracy?

Mrs. HARTLE. Yes, I do.

Mr. ARENS. Do you see the Burt Nelson in the hearing room today, now, whom you have identified as a Communist?

Mrs. HARTLE. Yes. He is here at the witness table.

Mr. ARENS. Would you point him out to the committee?

Mrs. HARTLE. He is sitting right to my right.

Mr. ARENS. Thank you.

TESTIMONY OF BURT NELSON—Resumed

Mr. ARENS. Mr. Nelson, you have just heard the testimony of Mrs. Barbara Hartle. Have you not?

(The witness confers with his counsel.)

Mr. NELSON. Yes.

Mr. ARENS. Was she lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer this question on the following grounds—

Mr. ARENS. You may return to your seat, Mrs. Hartle.

Mr. NELSON. To dignify this person by an admission of knowledge of her would be incriminating and degrading.

Mr. ARENS. Do you honestly feel—

Mr. SCHERER. Just a minute. Whether you wanted to dignify her or not, and whether it be degrading to you or not, the question is, Was she telling the truth or was she lying when she said that you were a member of the Communist Party?

(The witness confers with his counsel.)

Mr. SCHERER. That is the question.

Mr. NELSON. Was that a question?

Mr. SCHERER. Yes, it was.

Mr. NELSON. I decline to answer, on the grounds that I have previously stated, the fifth amendment.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not Mrs. Hartle was lying when she swore a few moments ago that you were a Communist, you would be supplying information which could be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer this question on the grounds of the fifth amendment.

Mr. ARENS. Do you know a man—

Mr. SCHERER. Just a minute. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. Mr. Witness, I order and direct that you answer that last question.

(The witness confers with his counsel.)

Mr. NELSON. Yes.

Mr. ARENS. Do you know a person by the name of Jess Fletcher?

(The witness confers with his counsel.)

Mr. NELSON. I decline to answer this question on the grounds of the fifth amendment and of the first amendment.

Mr. ARENS. Jess Fletcher took an oath and testified while he was under oath that while he was a member of the Communist Party he knew you as a Communist. Was he lying or was he telling the truth?

Mr. NELSON. I decline to answer this question on the previous grounds.

Mr. ARENS. H. C. Armstrong took an oath, laid his liberty on the line, and said he knew you as a Communist. Was he lying or was he telling the truth?

Mr. NELSON. I decline to answer this question on the previous grounds.

Mr. ARENS. Elizabeth Boggs Cohen took an oath and identified you as a member of the Communist conspiracy. Was she lying or was she telling the truth?

Mr. NELSON. I decline to answer this question on the grounds of the fifth amendment.

Mr. ARENS. Leonard Wildman took an oath and identified you as a member of the Communist conspiracy. Was he lying or was he telling the truth?

Mr. NELSON. I decline to answer this question for the reasons I have previously given.

Mr. ARENS. Al Bristol, former Communist Party functionary in Seattle, took an oath and identified you as a member of the Communist conspiracy. Was Al Bristol lying or was he telling the truth?

Mr. NELSON. I decline to answer this question——

Mr. ARENS. Are you now a——

Mr. NELSON. For the reasons previously stated.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mr. NELSON. I decline to answer this question, and I assert, as does the first amendment, that Congress shall pass no abridgment of the right of the people to peacefully assemble, petition for the right of redress of grievances. And on the grounds of the fifth amendment which provides in part the right to a fair trial, to confront your accusers and cross-examine them, to test the truths or untruth of their allegations and of their motives, and on the grounds that it might incriminate me.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you are now an integral part of the Communist conspiracy in the State of Washington.

Mr. NELSON. I decline to answer this question on the grounds I have previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Congressman Scherer, any questions?

Mr. SCHERER. Yes, sir.

Witness, have you continued to be a member of the Communist conspiracy since the Communists committed the atrocities in Hungary in the last few months?

Mr. NELSON. I decline to answer this question on the grounds of the 1st amendment, of the 9th amendment, the 10th amendment, the 5th amendment, and on the additional grounds that it has no legislative purpose.

Mr. SCHERER. Do you approve the actions of the Communists in Hungary?

Mr. NELSON. I decline to answer this question on the following grounds: The first amendment, the ninth amendment, the tenth amendment, the fifth amendment, which all or in part prohibit the Congress from legislating on approval or disapproval of the internal affairs of a sovereign nation beyond the bounds of the United States.

Mr. SCHERER. That answer is quite revealing. It indicates that you have answered "yes" to my question.

Mr. DOYLE. At this point, Mr. Scherer, I wish to call attention for the record and for our colleagues in Washington next Congress, to the fact that the Seattle Post Intelligencer of this morning carries the headline, "U. N. Assembly vote condemns Russia for actions in Hungary by a vote of 55 to 8." I think that is magnificent.

I don't think we have ever had a witness before us in any of these hearings who has been identified as a Communist or a member of the Committee for Protection of Foreign Born who publicly in our presence condemned the action of Russia in slaughtering and murdering innocent men, women, and children in Hungary.

Mr. SCHERER. I have no further questions.

Mr. ARENS. May the witness be excused, Mr. Chairman?

Mr. DOYLE. The witness is excused. Thank you, Counsel.

Mr. ARENS. Mrs. Barbara Hartle, would you kindly take the principal witness chair.

Mr. DOYLE. Counsel, while Mrs. Hartle is coming to take the stand, I have before me—I just want to read one paragraph, I wish I had

time to read it all—in the case of *Quinn v. United States of America*, decided by the Supreme Court of the United States, October term, 1954, in view of Mr. Nelson's statements that we had no power to investigate because there was no legislative purpose, as claimed by him. I read from page 5 of his decision and I quote this decision of the United States Supreme Court:

There can be no doubt as to the power of Congress, by itself or through its committees, to investigate matters and conditions relating to contemplated legislation. This power, deeply rooted in American and English institutions, is indeed coextensive with the power to legislate. Without the power to investigate—including of course the authority to compel testimony, either through its own process or through judicial trial—Congress could be seriously handicapped in its efforts to exercise its constitutional function wisely and effectively.

And of course it has been stated by me before, the chief reason that this committee is here is for the purpose of investigating, for the purpose of benefiting the United States Congress in the field of legislation.

TESTIMONY OF BARBARA HARTLE—Resumed

MR. ARENS. Mrs. Hartle, you have previously been sworn on this record this morning, and you have told us that you were a member of the Communist Party. Would you give us just a brief summary of your break with the Communist Party, what precipitated the break, and then we will go on from there.

MRS. HARTLE. After I had been sent underground by the Communist Party in the summer of 1950, I began to be in less close contact with the party organization and activities, and became in closer contact with the ordinary lives of ordinary American citizens. During that time I decided to quit being an active functionary of the party. I had attempted to break contact with the Communist Party in the underground on the wrong assumption that if I broke contact that they would then leave me alone.

I was then pursued by the Communist Party in the persons of its leaders, attempting to discipline me, attempting to bring me back into activity and responsibility. And after my arrest on a Smith Act charge and release on bond here in Seattle, I was further pursued by persons I had known as members of the Communist Party to resume my political activity as a Communist, to accept my responsibilities and discipline. I was expelled at one point and reinstated at another point.

Later as I was released on appeal bond in the city of Seattle, and tried to earn a living while waiting for the time that the case came to a close and I would either be freed or serve a sentence, I was again pursued by various factions of the Communist Party in an attempt to pressure me back into activity. And through these experiences and others, I finally came to the realization that the Communist Party was a gigantic fraud and a hoax, that it had raised havoc with my life, that it was a danger to the country and at that time I voluntarily went to the Federal Bureau of Investigation and made a public statement in the Seattle Post-Intelligencer renouncing the Communist Party.

MR. ARENS. Thank you.

Now, during the course of your experience in the Communist Party, did you have occasion to become thoroughly acquainted with the activities of the Communist Party designed to destroy, undermine, and

weaken the anti-Communist program of this Government, including the legislative program?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Did you have occasion to become acquainted with the membership and activities of the Northwest Committee for Protection of Foreign Born?

Mrs. HARTLE. Yes.

Mr. ARENS. Was it controlled by the Communist Party?

Mrs. HARTLE. Yes.

Mr. ARENS. I would like to display to you, if I may, please, Mrs. Hartle, two documents from the Northwest Committee for Protection of Foreign Born. The first is an application for membership bearing the names of a number of the officers of this organization. And the second is a call to a Northwest Conference to Fight Deportation under the auspices of the Northwest Committee for Protection of Foreign Born, listing certain of the officers and leaders of that organization.

Would you kindly look at those documents, and tell this committee while you are under oath, the names of any persons, to your certain knowledge, who were Communists and officers or leaders of the Northwest Committee for Protection of Foreign Born.

(Document marked "Exhibits No. 617 and 618," see appendix, pp. 8205-8209.)

Mrs. HARTLE. Hugh DeLacy.

Mr. ARENS. And by the way, if it is agreeable with you, give us just a comment about the individual, what you might know about him. We don't want an extensive biographical sketch but just a word about him.

Mrs. HARTLE. Hugh DeLacy was one time president of the Washington Commonwealth Federation of the State of Washington, was one time a Congressman from the First District of the State of Washington.

Mr. ARENS. And Mr. Chairman, I think it would not be inappropriate if I would interpose this comment on this record, namely, that in our hearings in Ohio, in anticipation of the hearings in Ohio, we made vigorous search to find Hugh DeLacy in order to subpoena him. Our best information is he has been dodging the subpoena.

Mr. SCHERER. Wasn't Hugh DeLacy called before our committee and took the fifth amendment?

Mr. ARENS. On a preceding occasion, yes, sir.

Mr. SCHERER. Yes, some years ago.

Mr. ARENS. Yes.

Now, do you have another name there?

Mrs. HARTLE. Joseph Jurich, J-u-r-i-c-h, whom I knew as an official of one of the waterfront unions in Seattle.

Karley Larsen, whom I knew as an official of a lumber workers union in the Northwest area and as a leader of the Communist Party.

Mr. ARENS. By the way, I wanted the record to be clear, because of the tenor of your conversation there. Name only persons who to your certain knowledge were members of the Communist Party in each instance, and we will not have to ask you each time do you know him as a Communist.

Mrs. HARTLE. Yes, I will do that.

Marion Kinney, who was manager of the Frontier Book Store in the city of Seattle, from about 1943 to 1954, to my knowledge.

Mr. ARENS. How is she listed on the documents before you? In what capacity is she connected with the——

Mrs. HARTLE. She is listed as Executive Secretary of the Northwest Committee for Protection of Foreign Born.

Mr. SCHERER. The name is familiar. Where did I hear that name, Counsel?

Mr. ARENS. She is one of the petitioners in a certain legal proceeding which was recently instituted in this city.

Mrs. HARTLE. Mabel Conrad, whom I knew as one of the State officers of the Washington Pension Union, as well as a member of the Communist Party.

Myrna Anderson, whom I knew as a member of the Waterfront Section of the Communist Party, and as a woman working in one of the offices of a waterfront union.

Walter Belka, B-e-l-k-a, whom I knew as an official of one of the lumber unions in the Northwest area.

Professor Joseph Butterworth, whom I knew as a teacher at University of Washington, and later as a person who had been charged with contempt by the State Un-American Activities Committee and I believe convicted.

Robert Cummings, whom I knew as an officer of one of the Seattle waterfront unions.

John Daschbach——

Mr. ARENS. D-a-s-c-h-b-a-c-h. Is that correct?

Mrs. HARTLE. Yes. Whom I knew as the director of the Seattle Labor School, and Pacific Northwest Labor School, and as executive secretary of the Washington State Civil Rights Congress.

O. L. Dearing, D-e-a-r-i-n-g-e-r, whom I knew as a member of a longshore union in Seattle.

A. A. Fisher, whom I knew as an official of a CIO council in Seattle at one time, and as a member and officer in a lumber union in the Pacific Northwest area.

Rachmiel Forschmiedt——

Mr. ARENS. Is that Fo-r-s-c-h-m-i-e-d-t? And the first name R-a-c-h-m-i-e-l?

Mrs. HARTLE. Yes, I believe that is correct, and whom I knew as an employee of the sanitation department of the city of Seattle. And later as one of the persons cited for contempt by the State Un-American Activities Committee, the Canwell committee.

Ray Glover, whom I knew as an officer of one of the lumber unions in the Enumclaw area.

Oiva Halonen——

Mr. ARENS. Spell that name, please.

Mrs. HARTLE. O-i-v-a H-a-l-o-n-e-n. Whom I knew as a member of the party active in national-group work for the party among Finnish workers, and that type of activity.

Florence and Burton James, whom I knew as directors of the Seattle Repertory Play House. Perhaps I should say that it has come to my knowledge that Burton James is deceased.

Harold Johnston, whom I knew as an officer of a machinists' union in the Seattle area.

Mr. SCHERER. May I interrupt just a minute, Mr. Chairman?

Mr. DOYLE. Yes, Mr. Scherer.

Mr. SCHERER. Mr. Counsel, will you tell me the date of this list of officers and sponsors of the Committee for the Protection of Foreign Born?

Mr. ARENS. The Northwest Committee for Protection of Foreign Born, as the evidence will show in a little while, subsequently became the Washington Committee for Protection of Foreign Born. This list and this document is a 1949 list.

Mr. SCHERER. This is 1949?

Mr. ARENS. Yes, sir.

Mr. SCHERER. This sounds like a roster of the Communist Party.

Mr. ARENS. Yes, sir.

Mr. SCHERER. Go ahead.

Mrs. HARTLE. Charles Nichols, whom I knew as an officer of a waterfront union in Seattle.

Jerry O'Connell, whom I knew as an officer of the Progressive Party of the State of Washington.

William J. Pennock, deceased, whom I knew as president of the Washington Pension Union, and who was a codefendant with myself in the Seattle Smith Act trials.

Prof. Herbert J. Phillips, whom I knew as a teacher at the University of Washington.

Thomas C. Rabbitt, whom I knew as an officer of the Washington Pension Union of the Washington State Progressive Party, among other things that he did.

Harry Sunoo, whom I knew as a member of the Communist Party in the University District area. S-u-n-o-o.

Jerry Tyler, whom I knew as an officer of one of the Seattle waterfront unions.

Winnie Thomson, whom I knew as a worker in one of the offices of a Seattle waterfront union.

William Wallace, whom I knew as an officer of one of the lumber unions of the Northwest area.

And that completes the list of the Northwest Committee.

Mr. ARENS. If you will just hesitate a moment, Mrs. Hartle. Before we have a little recess, the Northwest Committee for Protection of Foreign Born, subsequently in 1954 changed its name and became the Washington Committee for Protection of Foreign Born, isn't that correct?

Mrs. HARTLE. Yes; that is right.

Mr. SCHERER. Have we determined what percentage of the officers and membership were Communists as identified by the witness?

Mr. ARENS. What percentage of those names that you have identified there as Communists, are they to the aggregate number?

Mr. SCHERER. Of course I understand there may be others on that list who might have been Communists, whom Mrs. Hartle did not know as such. But I am interested in knowing what percentage of that organization were Communists.

Mrs. HARTLE. For the information of the committee, I should say that there are names on this list of persons that I have been told were Communists.

Mr. SCHERER. You haven't mentioned them?

Mrs. HARTLE. The ones I mentioned were ones that I knew to be Communists from meetings, from discussions with them, et cetera.

Mr. SCHERER. That is all we wanted. That is what I just said. It is possible that there are others in that list who were members of the Communist Party, whom you did not know personally of your own knowledge to be members. I wanted to know what percentage of the total list are Communists.

Mrs. HARTLE. Do you want that quite accurately? Or an estimate?

Mr. ARENS. A fair estimate.

Mrs. HARTLE. It appears to me that it is about 75 percent.

Mr. ARENS. Was the organization controlled, to your certain knowledge, lock, stock, and barrel by the Communist conspiracy?

Mrs. HARTLE. Yes; it was.

Mr. ARENS. Now, may we have a little recess, Mr. Chairman—

Mr. DOYLE. May I make this comment, Mr. Scherer, in the field of legislative action, or the petitioning of Congress, and the right to petition Congress, which we certainly respect and want to occur: In 1949 the evidence will show—that is down to the present date—but in 1949, when you and I were there, if the American Committee for Protection of Foreign Born petitioned Congress from Seattle and the Northwest, it would really have been the Communist Party, and a Communist front. I think the evidence clearly shows that.

Mr. SCHERER. In 1949 most of the Congressmen would not have known that—that the Committee for Protection of Foreign Born was a Communist-front organization.

Mr. DOYLE. How would we know? We certainly have to get into the area of legislation to consider legal ways and means to make sure that it isn't the Communist conspiracy that is petitioning us under dummy names such as the American Committee for Protection of Foreign Born manifestly was in 1949, at least.

Mr. SCHERER. It isn't only the American Committee for Protection of Foreign Born that is controlled and dominated by the Communists, but I believe to date in these hearings it has been established, has it not, Counsel, that there are 180 organizations with high-sounding names that have been set up by the Communist Party and controlled and dominated by the Communist Party for the purpose of repealing the internal security laws of this Nation?

Mr. ARENS. 180, Mr. Scherer, exclusively designed to destroy the Immigration and Nationality Act, the so-called McCarran-Walter Act. In addition to that, there are countless organizations that have been set up for the purpose of destroying other comparable legislative enactments.

Mr. DOYLE. Just before we do take a 5-minute recess, may I say this: I note the presence of distinguished members of the marshals, police, and police staffs. We appreciate your coming.

We do not allow either any evidence of approval or disapproval from those in the room. That is cricket, certainly.

So if the enforcement officers will do as they had to do in Los Angeles and San Francisco, without further word from me, when there is any deliberate violation of courtesy to the committee, the city, and country, just apply whatever force is necessary to eject the person and don't let them come back, please.

The committee will stand in recess for 5 minutes.

(Whereupon, a short recess was taken. Committee members present: Representatives Doyle and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle and Scherer.)

Mr. DOYLE. The committee will please reconvene.

The committee will hold session this morning until 12:30. We will hold a night session tonight at 7:30.

I wish to give order now that anyone under subpoena who is not called before we adjourn this afternoon, please report here tonight at 7:30. We are sorry to cause you that inconvenience but it is also an inconvenience to us to have to hold night sessions.

May I say that I was approached during recess by a person who said to me, "Congressman, why attack the Communist Party so much? Isn't there any other group that also should be equally exposed?" And I just wish to read apropos of that remark one paragraph from the decision in the case of United States of America, plaintiff, versus Sam Title, being an opinion by the distinguished Federal Judge Leon R. Yankwich, Chief United States Judge, Southern District of California, June 8, 1955. In other words, a little over a year ago. And more is what he said, in brief:

We have already referred to the fact that the Communist Party of the United States and the local branch to which the defendant belonged—

I may interpolate here that that was the Los Angeles Branch of the Communist Party—

adopted the gloss which Lenin, Stalin, and the Communist International placed on Marxist teachings. The literature in the record shows that American Communist conventions and American writers pointed not only to these teachings as correct, but to the practice embodied in the Russian Revolution and the Communist dictatorship enthroned by it as the "way out." The following brief quotations will suffice.

This is a quotation which Judge Yankwich, one of the most distinguished Federal Judges on the west coast, adopted as part of his decision.

"The experience of the victorious workers of the Soviet Union before, during and after the seizure of power, throw a brilliant light showing the path which must be followed in every land, the path of Bolshevism, of Marx, Engels, Lenin, and Stalin."

I think that will answer for the present why we are presently engaged in this hearing, with reference to contemplated legislative action which will strengthen our internal security laws.

Are you ready, Mr. Arens?

Mr. ARENS. Yes.

Mr. Chairman, in the presence of this witness I should like to have another witness sworn for the purpose of identification.

Mr. William Wheeler, would you kindly be sworn.

Mr. DOYLE. Mr. Wheeler, I wish the record to show, is the distinguished chief of staff of our committee on the Pacific coast.

Mr. Wheeler, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHEELER. I do.

TESTIMONY OF WILLIAM A. WHEELER

Mr. ARENS. Mr. Wheeler, you are an investigator for the Committee on Un-American Activities?

Mr. WHEELER. Yes, sir.

Mr. ARENS. I lay before you now a document which is a summons and complaint in a civil action instituted in the District Court of the United States for the Western District of Washington, Northern Division, and ask you if you have ever seen that document before.

(Document marked "Exhibit No. 619," retained in committee files.)

Mr. WHEELER. Yes, sir.

Mr. ARENS. Where was that?

Mr. WHEELER. That was served upon me by the United States marshal yesterday evening.

Mr. ARENS. Thank you, sir.

Mr. Wheeler, you will be excused from testifying. I respectfully suggest that you lay that document before the witness in the principal witness chair.

(Document handed to Mrs. Hartle.)

TESTIMONY OF BARBARA HARTLE—Resumed

Mr. ARENS. Mrs. Hartle, would you kindly look on page 2 of this document on which the following appears under II.

Mr. SCHERER. Did we state for the record what that document is?

Mr. ARENS. Yes.

It is a complaint for declaratory judgment and injunctive relief, brought by John W. Caughlan, Marion Kinney, Louise Hatten, Cecelia Corr, and Clara Paulson individually and as the Washington Committee for Protection of Foreign Born, against Clyde Doyle, Harold H. Velde, and Gordon Scherer individually and as persons purporting to constitute a subcommittee of the Committee on Un-American Activities of the House of Representatives and John Doe I, John Doe II, and John Doe III, defendants.

Now, Mrs. Hartle, on page 20 of this document which has been identified in this record, we see a number of persons listed as officers of the Washington Committee for Protection of Foreign Born by their allegation here.

I should like to ask you, do you know Marion Kinney who is identified in this document as executive secretary of the Washington Committee for Protection of Foreign Born?

Mr. DOYLE. Mr. Arens, may I interrupt here. Is that complaint verified? I mean is it sworn to before a notary public?

Mr. ARENS. Yes, sir.

Mr. DOYLE. On what day?

Mr. ARENS. The affidavit of Marion Kinney is subscribed and sworn to on the 11th day of December 1956.

Mr. SCHERER. So the record is clear, Marion Kinney swore to the allegations contained in that complaint, one of the allegations being naming of the local members of the Committee for Protection of Foreign Born.

Mr. ARENS. The local officers?

Mr. SCHERER. The local officers.

Mr. DOYLE. By the local officers, you mean the Seattle officers in the Northwest?

Mr. ARENS. Yes. The Washington Committee.

Mr. DOYLE. That was filed in court when? In the District Court in Seattle when was it filed?

Mr. APPELL. Yesterday.

Mr. DOYLE. When was the summons issued?

Mr. ARENS. December 12.

Mr. DOYLE. This week?

Mr. SCHIEFER. Yesterday.

Mr. ARENS. Do you know Marion Kinney who is identified here as executive secretary of the Washington Committee for Protection of Foreign Born?

Mrs. HARTLE. Yes.

Mr. ARENS. Did you know her as a Communist?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Do you know Cecelia Corr who was identified in this sworn document as treasurer of the Washington Committee for Protection of Foreign Born?

Mrs. HARTLE. Yes.

Mr. ARENS. Did you know her as a Communist?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. And did you know Clara A. Paulson, P-a-u-l-s-o-n who is identified as recording secretary of the Washington Committee for Protection of Foreign Born? And did you know her as a Communist?

Mrs. HARTLE. Yes. I knew her as a Communist.

Mr. ARENS. Now, Mrs. Hartle, on the basis of your background and experience in the Communist Party, and the operations of the Communist conspiracy in this area, can you tell us whether or not the Washington Committee for Protection of Foreign Born took over and succeeded the Northwest Committee for Protection of the Foreign Born?

Mrs. HARTLE. Yes, it did.

Mr. ARENS. And was, to your certain knowledge, the Washington Committee for Protection of Foreign Born controlled lock, stock, and barrel by the Communist conspiracy?

Mrs. HARTLE. Yes, it was.

Mr. ARENS. What was the relationship, if any, between the Washington Committee, Northwest Committee and the American Committee for Protection of Foreign Born?

Mrs. HARTLE. They were all a part of the same organization.

Mr. ARENS. Now, Abner Green has been identified on this record back in Washington as the executive secretary of the American Committee for Protection of Foreign Born and has been repeatedly identified under oath by witnesses, as a member of the top echelon of the Communist conspiracy.

Has Abner Green to your certain knowledge participated in the direction of the affairs of the Northwest Committee for Protection of Foreign Born, and of the Washington Committee for Protection of Foreign Born?

Mrs. HARTLE. To my certain knowledge he has participated in direction of the affairs of the Northwest Committee for Protection of Foreign Born. My knowledge does not run to the Washington Committee.

Mr. ARENS. In that respect, you mean with reference to his participation.

Now, you had two documents there. The first document you mentioned was an application for membership in the Northwest Committee for Protection of Foreign Born and the second document, which

was before you which you now have, I see, is a document in the nature of a call to a conference, issued under the auspices of the Northwest Committee for Protection of Foreign Born. Kindly look at the second document, if you please, Mrs. Hartle, and tell this committee while you are under oath if there are any persons there whom you have not named who to your certain knowledge are officers or were officers of the Northwest Committee for Protection of Foreign Born, and who were Communists.

Mrs. HARTLE. On the first page of the call to the conference is listed the name of Lenus Westman, executive secretary. I knew him and knew him as a member of the Communist Party.

The others I have named.

Mr. ARENS. Thank you.

Now, Mrs. Hartle, what is, in Communist Party jargon, a "united front tactic"?

Mrs. HARTLE. A united front tactic is the program of the Communist Party to draw non-Communists in to work with Communists on some specific issue with the aim of influencing them in the direction of Communist policies, with the aim of gaining sympathizers for the Communist Party, and with the aim of gaining from among them recruits, members to the Communist Party.

Mr. ARENS. Did the Communist Party in its efforts to destroy and undermine the various anti-Communist legislative enactments, penetrate non-Communist and anti-Communist organizations in order to solicit those organizations to take stands which would ultimately inure to the benefit of the conspiracy?

Mrs. HARTLE. Yes, it did.

Mr. ARENS. Why would the Communist Party be so vigorously opposed to the Immigration and Nationality Act, the so-called Walter-McCarran Act?

Mrs. HARTLE. It was opposed to it because this act made it possible to deport persons from the country who were Communists, made it possible to restrict the activities of the Communists who were aliens, and made it possible to guard some of the work of Communists in such places as Alaska that might in some way endanger the security of the country.

Mr. ARENS. Now, did the Communist Party, to your knowledge, while you were a member, impose discipline upon the members of the party, the comrades, with reference to their action, the position they were to take, before congressional investigating bodies such as the House Committee on Un-American Activities?

Mrs. HARTLE. Yes; they most certainly did.

Mr. ARENS. What did they do; what discipline did they impose on the comrades with regard to this committee and other committees of comparable jurisdiction?

Mrs. HARTLE. The discipline they imposed was that a member of the Communist Party, in what they call a bourgeois or capitalist court or before a congressional committee such as this, should defy the committee, that they should attempt as much as possible to bring forward the program of the Communist Party, and that they should refuse to cooperate with any of the committees or to conduct themselves as ordinary defendants in a court.

Mr. ARENS. During the course of your experience in the Communist Party, did you have occasion to gain knowledge, and did you gain

knowledge, respecting a creation of a special underground apparatus of the Communist conspiracy in these parts?

Mrs. HARTLE. Yes; I did.

Mr. ARENS. And could you tell us, first of all, what precipitated the creation of that underground operation and, secondly, who were the participants?

Mrs. HARTLE. The underground operation was precipitated by the situation created in the mind of the Communist Party by the Korean war. The Communist Party said the Korean war would certainly evolve into world war III and that this could become a very dangerous thing for the Communist Party. That it was possible that many members and leaders of the Communist Party could be arrested and that it was necessary for the Communist Party districts such as the Northwest district, to have leaders, capable organizers, and agitators of the party in reserve, in hiding; that is, so that in the event the operating leadership of the party were arrested, that there would be in reserve capable forces to direct the party from underground to continue its activities.

Mr. ARENS. And who, to your certain knowledge, were assigned to the Communist Party underground?

Mrs. HARTLE. Assigned to the Communist Party underground to my certain and personal knowledge were Milford Sutherland, Ralph Hall, John Lawrie, L-a-w-r-i-e, Paula Alexander.

Those are some that I can recall.

Mr. ARENS. Was Pearl Castle assigned to the underground?

Mrs. HARTLE. Not to my personal knowledge. I had only indirect knowledge of that.

Mr. ARENS. Was Clayton VanLydegraf assigned to the underground?

Mrs. HARTLE. I knew that he had been assigned to the underground from reports in meetings of the underground State committee.

Mr. ARENS. Now, did you during the course of your experience in the Communist Party have any conversations with a person by the name of Sarah Hortense, H-o-r-t-e-n-s-e—Sarah Hortense Lesser, L-e-s-s-e-r—respecting her personal activities?

Mrs. HARTLE. Yes.

Mr. ARENS. Could you tell us just in your own words the essence of that conversation?

Mrs. HARTLE. The essence of my conversation with her regarding this matter was that at some time in the past she had undergone discipline by the Communist Party, that she had experienced some discipline due to breaking the discipline of the party on her own part. The conversation indicated to me that she had been a member of the Communist Party in undergoing this discipline.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. Yes; just one or two.

Mr. DOYLE. Go ahead.

Mr. SCHERER. Mrs. Hartle, I am again referring to the complaint filed in the district Federal court yesterday against the members of this subcommittee. It is my recollection that you identified all but one of the complainants as members of the Communist Party, including Marion Kinney, who was one of the complainants who made affi-

davit as to the truth of the allegations set forth in the complaint.

Isn't Marion Kinney the executive secretary of the Washington Committee for Protection of Foreign Born, Mr. Arens?

Mr. ARENS. That is right.

Mr. SCHERER. Yes; she so states under oath that she is, I see here in the complaint.

Now, acting as notary public, the man who took the affidavit of this Marion Kinney, is one John Caughlan. I am advised that he is a member of the bar, and one of the lawyers who is representing the petitioners, the plaintiffs in this action. Do you know John Caughlan, the lawyer.

Mrs. HARTLE. Yes.

Mr. SCHERER. Did you know him during the time that you were in the Communist Party as a member of the Communist Party?

Mrs. HARTLE. Yes, I did.

Mr. DOYLE. Was it in Seattle that you knew him as a Communist?

Mrs. HARTLE. Yes.

Mr. SCHERER. Well, it looks like all of them are members of the Communist Party except one. There is a John W. Caughlan who is also a petitioner. I believe he is the one that you have not identified, the only one that you have not identified in this litigation. He was not a member of the Communist Party, is that right?

Mr. DOYLE. Maybe it is the same John.

Mr. SCHERER. No, I understand that he is the father of the attorney. Did you know him or not?

Mrs. HARTLE. I knew him.

Mr. SCHERER. You have not identified him, however. He is the only one you have not identified as a member of the Communist Party.

Mrs. HARTLE. That is correct.

Mr. DOYLE. Then he should get the benefit of it being made very clear that John W. Caughlan is not identified in this hearing as a member of the Communist Party so far. Is that correct, Mr. Arens?

Mr. WHEELER. He is a minister, not a lawyer.

Mr. DOYLE. He is a minister.

Mr. SCHERER. He is put on notice now that his son and all his associates are members, if he didn't know it before, which I doubt.

Mr. DOYLE. Any further questions?

Mr. SCHERER. No, I have no further questions.

Mr. DOYLE. I just have one. I think at this point, Mr. Scherer, it would be appropriate for me to refer to the Guide to Subversive Organizations and Publications, published on May 14, 1951, by this committee as House Document 137.

It appears crystal clear to us from a great deal of evidence under oath and documentarywise, that the Northwest Committee for Protection of Foreign Born, and the Los Angeles committee are all offshoots or auxiliaries of the American Committee for Protection of Foreign Born. Let me read the record of the American Committee for Protection of Foreign Born on page 13 of this House Document 137. (See p. 6628 of testimony.)

I see by this sworn complaint we have referred to that they frankly state they collect substantial sums of money. I mean the Northwest Committee for Protection of Foreign Born. So evidently the appraisalment by the California Committee on Un-American Activities was correct in that feature, too.

I wish to make this observation, Mr. Scherer, with reference to our report when we go back to Washington. It seems to me that in the field of legislation Congress should take notice that we ought to consider whether or not it would be constitutional and necessary to enact legislation concerning the activities of these Communist fronts such as this one in this complaint on page 2—four of the five executive officers of this Northwest Committee for Protection of Foreign Born under their own oath, filed yesterday in district court in this city, they declare that they are all of the officers of the Washington Committee for Protection of Foreign Born. So again we have here the same pattern as in this Los Angeles and San Francisco. This alleged Committee for the Protection of Foreign Born, the Communists are in control of the money and the policy.

Mr. SCHERER. May I interrupt. I don't know whether we have them here or not—but in Los Angeles it was shown by numerous checks introduced in evidence, where the Communist officers of the Committee for the Protection of Foreign Born, were making out checks to other Communists for services rendered to the Committee for the Protection of Foreign Born.

Mr. DOYLE. To complete this statement, for the purpose of the record, so all our colleagues in Washington can see as we see in this hearing that here is another case where the bank account and all the funds are in control of admittedly, over their own oath in court yesterday in this complaint, of four of the five executive officers of the Washington Committee who are identified as Communists.

So it is the Communist Party in Washington and Seattle that is controlling the policy and the funds of the Northwest or Washington Committee for Protection of Foreign Born instead of anyone else.

And in Los Angeles the record shows admittedly, that while the woman on the stand admitted under oath, that she had been convicted of violation of the Smith Act more than 2 years previous, it was proven that she and another identified Commie were the two people who signed the checks and controlled the bank account of the Los Angeles committee.

Mr. SCHERER. She was promoted after she was convicted.

Mr. DOYLE. She was promoted as chairman after she was convicted by a jury in Federal Court for violating the Smith Act.

That is the kind of people that the people in the Northwest, the great Northwest, are contributing money to when they contribute money to pay the salaries of the officers of apparently the Washington Committee for Protection of Foreign Born.

That is as we see the evidence now.

Mr. SCHERER. Can we say, Mr. Doyle, further, that this type of evidence of Communist control of committees for the protection of foreign born is not confined only to the Los Angeles Committee and San Francisco Committee, but we found that same thing to be true in our hearings in Washington, Youngstown, and Chicago. At those hearings we had witnesses subpoenaed not only from those cities, but from other areas.

So the pattern is the same not only in California but all over the United States.

Mr. DOYLE. That is right.

Well, if the people in the great Northwest wanted to support that kind of thing, they have notice now of what they are paying to.

Go ahead, Mr. Arens.

Mr. ARENS. The next witness, Mr. Chairman, if you please, will be Marion Kinney.

Mr. DOYLE. Mrs. Kinney, will you please raise your right hand.

Mrs. KINNEY. Mr. Chairman, may I request no pictures.

Mr. DOYLE. Be sworn first. You are not before the committee until you are sworn.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KINNEY. I do.

TESTIMONY OF MRS. MARION KINNEY, ACCOMPANIED BY COUNSEL, CHESTER ADAIR

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. KINNEY. May I make a request for no pictures?

Mr. DOYLE. I beg your pardon?

Mrs. KINNEY. May I make a request for no pictures? I prefer not to have any pictures.

Mr. DOYLE. No pictures will be taken while you are testifying. That is the rule of the committee.

Mrs. KINNEY. All right.

Mr. DOYLE. We never interfere with the freedom of the press, however. May I make that clear.

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. KINNEY. My name is Marion Kinney. I live in Seattle.

Mr. ARENS. I can't hear you. Would you get closer to the microphone and raise your voice a little bit, please.

Mrs. KINNEY. My name is Marion Kinney. I live in Seattle and——
(The witness confers with her counsel.)

Mrs. KINNEY. I am not working.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. KINNEY. Yes; I am.

Mr. ARENS. You are represented by counsel?

Mrs. KINNEY. Yes; I am represented by counsel.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. ADAIR. I am Chester Adair, a trustee of the Seattle Bar Association. I am representing Mrs. Kinney at her request, she being indigent. And at the request, as I understand, of both your committee and the officers of the bar association to help those who are without counsel.

Mr. ARENS. Now, Mrs. Kinney——

Mr. SCHERER. May I interrupt. Did I understand you to say, Mrs. Kinney, that you are presently unemployed? Did you say you had no occupation?

Mrs. KINNEY. I am not working now.

Mr. SCHERER. Not working now. Do you receive any compensation as secretary for the Washington Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. KINNEY. I believe, Mr. Chairman, that I shall decline to answer that question because I believe that—that an answer to that question may tend to abrogate my rights under the fifth amendment of the Constitution in which it may be a link in a chain of evidence at some future time. It may be used to incriminate me and against me.

Mr. SCHERER. Now, you are the Marion Kinney, are you not, who is one of the plaintiffs in the complaint filed against the members of this committee in the Federal court yesterday?

(The witness confers with her counsel.)

Mrs. KINNEY. May I have a glass of water, Mr. Chairman? Thank you.

(The witness confers with her counsel.)

Mr. KINNEY. I make the same answer to that question, Mr. Chairman.

Mr. SCHERER. You mean you refuse to tell us whether you are the Marion Kinney who just yesterday filed a complaint in the Federal courts? Do I understand that to be your answer, that you are refusing to answer on the grounds of the fifth amendment?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer the question.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. Yes; I direct you to answer that question.

Mr. SCHERER. I can't possibly see how answering that question would incriminate her.

(The witness confers with her counsel.)

Mrs. KINNEY. Would you please state that question again?

Mr. SCHERER. I merely asked whether or not you were one of the petitioners, one of the plaintiffs, in an action filed yesterday in the Federal court against the members of this subcommittee.

(The witness confers with her counsel.)

Mr. DOYLE. I think, Mr. Scherer, for the purpose of the record we should identify that action as "Civil Action File No. 4287." Merely for the purpose of the record identification.

Mr. SCHERER. Yes. I understand that the chairman has directed you, Mrs. Kinney, to answer that question.

(The witness confers with her counsel.)

Mrs. KINNEY. May I see that, Mr. Chairman?

Mr. SCHERER. Would you hand her a copy of it?

Mr. DOYLE. Here is a copy.

(Document handed to witness.)

Mr. SCHERER. Witness, you signed it, and swore to it day before yesterday?

(The witness examines the document.)

Mrs. KINNEY. Didn't you say they weren't going to take any pictures during the session?

Mr. DOYLE. I didn't take the picture. I don't know who did. I was reading a document here.

Mr. SCHERER. I think that is an order, a rule of the committee.

PHOTOGRAPHER. I wasn't here when they issued that. I just came in, sir.

Mr. DOYLE. I stated the rule, a standing rule of the committee, that after a person is under oath and while they are testifying, only under oath, that we permit no pictures if the witness requests no pictures. But we will not undertake to take jurisdiction of the press and interfere with their freedom before the witness is sworn or afterward.

PHOTOGRAPHER. I will cooperate with you.

Mr. DOYLE. We believe in the freedom of the press very, very much.

PHOTOGRAPHER. Thank you.

(The witness confers with her counsel.)

Mrs. KINNEY. Well, I am the Marion Kinney who signed a document similar to this.

Mr. SCHERER. And you swore to the allegations set forth in that complaint, did you not, before a notary public?

(The witness confers with her counsel.)

Mrs. KINNEY. I swore to a document similar to this before a notary public.

Mr. SCHERER. This is the copy that was filed with your original copy and was given to the members of the committee by the marshal on their arrival in town. Do you know the notary before whom you made affidavit?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons. I don't have to state my constitutional privilege every time, do I?

Mr. SCHERER. No. If you say "for the same reason," we understand then that you are invoking the fifth amendment. Is that correct?

Mrs. KINNEY. That is correct.

Mr. SCHERER. In refusing to answer the question.

Mrs. KINNEY. And therefore we can save time.

Mr. SCHERER. You knew John Caughlan to be a member of the Communist Party, did you not? Do you not?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, for the same reasons.

(The witness confers with her counsel.)

Mr. SCHERER. Now, when you swore to the allegations set forth in this complaint, was everything you said in this complaint true?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman.

Mr. SCHERER. Do you mean—

Mrs. KINNEY. On the same grounds.

Mr. SCHERER. Do you mean to tell us that you will not tell this committee whether the allegations you made in a petition in the Federal court just yesterday were true, when you swore to those allegations?

(The witness confers with her counsel.)

Mrs. KINNEY. That is the same question, Mr. Chairman, and I decline to answer that question.

Mr. SCHERER. For the reasons given?

Mrs. KINNEY. On the same grounds.

Mr. SCHERER. Well, did you make any false statements in this complaint in the Federal court?

(The witness confers with her counsel.)

Mrs. KINNEY. I believe that is the same question, and I decline to answer for the same reasons.

Mr. SCHERER. I believe you did say, however, that you did swear to the allegations, did you not, contained in that complaint?

(The witness confers with her counsel.)

Mrs. KINNEY. I believe the record will have to show what I answered.

Mr. SCHERER. I am not clear. What does the record show?

Mrs. KINNEY. Get the man to read it.

Mr. SCHERER. Would you look, Reporter, and see what she said with reference to whether or not she swore to the original of this complaint?

(The record was read by the reporter as follows:)

Mrs. KINNEY. Well, I am the Marion Kinney who signed a document similar to this.

Mr. SCHERER. My recollection is that I asked her a subsequent question. I will repeat it again. Did you swear to the allegations set forth in this complaint?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons.

Mr. SCHERER. Now, Reporter, will you again search the record to see whether or not, following the question which you just read, there was a subsequent question by me with reference to her swearing to the allegations in the complaint? I am not certain, but my best recollection is that I did ask the question and she said "Yes." Read the question and answer after the one you read before.

(The record was read by the reporter as follows:)

Mr. SCHERER. And you swore to the allegations set forth in that complaint, did you not, before a notary public?

Mrs. KINNEY. I swore to a document similar to this before a notary public.

Mr. SCHERER. I thought she said that.

That is all the questions I have at this time, Mr. Counsel. Proceed. I do have one more question.

When you swore, as you said you did, to the allegations set forth in this complaint, were you telling the truth?

(The witness confers with her counsel.)

Mrs. KINNEY. Upon the advice of my counsel, Mr. Chairman. I decline to answer that question on the grounds previously stated.

Mr. SCHERER. That can only lead this committee to draw one conclusion then—perhaps you did not tell the truth insofar as all of the allegations are contained in this complaint.

(The witness confers with her counsel.)

Mrs. KINNEY. Is that a question?

Mr. SCHERER. No; it is an observation, a conclusion that I reach. I think anybody else in the room could only reach that conclusion.

Go ahead, Mr. Arens.

Mr. DOYLE. All right, Mr. Arens.

Mr. ARENS. Mrs. Kinney, are you now a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Mrs. Hartle, would you kindly stand up.

(Witness Hartle stood up.)

Mr. ARENS. Mrs. Kinney, look at this lady who is standing there.

Mrs. KINNEY. Yes; I am looking at her.

Mr. ARENS. I beg your pardon.

Mrs. KINNEY. I am looking at her.

Mr. ARENS. Have you ever seen her before?

(The witness confers with her counsel.)

Mr. DOYLE. May the record show that Chairman Doyle is leaving the committee for just time enough to answer an emergency long-distance phone call at this time, in the next room. I will be right back.

(Representative Doyle left the hearing room.)

Mr. ARENS. Have you ever seen that lady before who is standing there?

Mrs. KINNEY. I decline to answer that question upon the grounds previously stated.

Mr. ARENS. That lady standing there is Mrs. Hartle. Just a little while ago she testified under oath that she knew you as a Communist. Was she lying or was she telling the truth?

Mrs. KINNEY. I decline to answer that question upon the grounds as previously stated.

Mr. ARENS. Now, we want to display to you a check, photographic copy of a check on the Pacific National Bank of Seattle, drawn by Marion Kinney, payable to the order of the American Committee for Protection of Foreign Born. Kindly look at that check and tell this committee while you are under oath whether you drew that check.

(Document marked "Exhibit No. 619," see appendix, p. 8210.)

(The witness conferred with her counsel and examines document.)

Mrs. KINNEY. I decline to answer that question.

Mr. ARENS. For what grounds?

Mrs. KINNEY. On the grounds previously stated.

Mr. ARENS. Now, we display to you a photostatic copy of an article appearing in the Daily People's World of July 1949, an article telling about formation of a new chapter of the Committee for Protection of Foreign Born, with Marion Kinney as vice chairman. Look at that article, please, and tell this committee whether or not the facts recited therein are true and correct to your knowledge.

(Document marked "Exhibit No. 620," see appendix, p. 8211.)

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman.

Mr. ARENS. For the same reasons?

Mrs. KINNEY. Precisely.

Mr. ARENS. Now, earlier this year, the Subversive Activities Control Board subpoenaed before it Abner Green, or at least he appeared before the Subversive Activities Control Board with reference to the functions of that Board, to ascertain the nature of the American Committee for Protection of Foreign Born. Abner Green testified under oath. During the course of his testimony under oath before the Subversive Activities Control Board, he was asked about the North-

west Committee for Protection of Foreign Born and the Washington Committee for Protection of Foreign Born.

(Representative Doyle returned to the hearing room.)

Here is one particular question I would like to read to you.

Q. Is Mrs. Kinney presently associated or connected in any way with the Northwest Committee?

A. I believe she is secretary of the Northwest Committee at the present time.

Was Mr. Green lying or was he telling the truth?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons.

Mr. ARENS. Mr. Green likewise identified in connection with your organization Lenus, L-e-n-u-s, Westman, and Mabel Conrad as officers of that organization. Was he lying or was he telling the truth?

Mrs. KINNEY. I decline to answer that question for the same reasons.

Mr. ARENS. Now, the subpoena which was served upon you calls upon you to produce before this committee certain documents, does it not?

(The witness confers with her counsel.)

Mrs. KINNEY. Yes.

Mr. ARENS. Do you have those documents in your custody and control?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, on the basis that I stated originally of the fifth amendment.

Mr. ARENS. Do you honestly feel that if you told this committee whether or not you have custody and control of the documents called for in the subpoena which was served upon you, you would be supplying information which might be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. KINNEY. Any answer that I might give to that question might tend to be used against me and to incriminate me in any proceeding that might be subsequently instituted.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record now at this time reflect an order and direction to this witness, in view of the status of the record, to produce forthwith the documents called for in the subpoena duces tecum which was served upon her, and I further request that the body of the subpoena duces tecum be incorporated in the record.

Mr. DOYLE. I make the order as to the subpoena, that it be embodied in the record. The subpoena duces tecum. And I order and direct you, Mrs. Kinney, to answer that question and produce each and every record identified in the subpoena.

(Document marked "Exhibit No. 621 and 622," see appendix, pp. 8212, 8213.)

Mr. SCHERER. She swore to the original.

Mr. DOYLE. Yes; and apparently a copy of an original which was on file in court, because it was a copy served upon Mr. Wheeler, our chief investigator—I mean a copy from which you testified was the one served on him by the United States marshal last night. So I think we are fair to you, in assuming that it is a true and correct copy of the original in court. And in that document you identified and swore under oath that you had all of these documents which were

asked for in the subpoena duces tecum You swore to that day before yesterday.

Those are the documents we are asking you to produce now. It did not incriminate you to swear to that in Federal Court day before yesterday.

(The witness confers with her counsel.)

Mr. DOYLE. So I direct you to answer the question and produce each and every document identified in the subpoena, including each and every document that you identified under oath in the action which you filed against the members of this committee day before yesterday in Federal Court in Seattle, of which you said you had custody in that case.

(The witness confers with her counsel.)

Mr. SCHERER. You can go ahead and answer the question.

Mrs. KINNEY. Any answer that I might give to that question, Mr. Chairman, might tend in the direction of incriminating me, and therefore I claim the protection of the fifth amendment.

Mr. SCHERER. It was the subpoena requesting those records that you asked the Federal Court to quash in your action yesterday, and are you still refusing to produce those records in view of the adverse ruling of the Federal Court at 9 o'clock this morning, the adverse ruling that you received?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons.

Mr. ARENS. Now, we are going to display to you a signature card from the Pacific National Bank of Seattle signed by yourself as an officer of the Northwest Committee for Protection of Foreign Born. Also a resolution signed by yourself as an officer for the Northwest Committee for Protection of Foreign Born. Kindly look at this card and the accompanying resolution and see if you will be good enough to authenticate your signature.

(Document marked "Exhibit No. 623a, b," see appendix, pp. 8214, 8215.)

(The witness confers with her counsel.)

Mr. ARENS. And verify the authenticity of your signature, I should say.

While she is doing that, I respectfully suggest that if, as, and when this witness signs a voucher for her per diem that that part of the voucher bearing her signature be incorporated in the body of the record for comparison of signatures.

(Document marked "Exhibit No. 624," for identification purposes.)¹

Mr. DOYLE. That order will be made.

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, on the same grounds.

Mr. ARENS. Now, we are going to display to you a number of documents. First is a card from the Fifth Annual Southern California Conference to Protect the Rights of Foreign Born Americans, in which you are identified as representative of the Washington Committee; second are documents of the Northwest Committee and the Washington Committee for Protection of Foreign Born setting forth the program of activities of those two organizations, with yourself identified as chairman of various committees and as executive secretary of these two particular committees.

¹ Signed voucher not returned at date of printing of testimony.

Mr. ARENS. I am grouping these documents now, because we are very much pressed for time.

Kindly look at those documents and see if you would be good enough to verify their authenticity for this committee.

(Documents marked "Exhibit Nos. 625-630," see appendix, pp. 8216-8225.)

(The witness examines documents and confers with her counsel.)

Mrs. KINNEY. Mr. Chairman, I decline to answer the question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness, except for this question which I don't believe we have asked:

Are you now a member of the Communist conspiracy?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, on the same grounds.

Mr. DOYLE. Any further questions, Mr. Scherer?

Mr. SCHERER. Witness, since you have represented to the Seattle Bar Association that you have no funds to employ counsel, I assume then that you did not pay the fees and the costs involved in filing this suit in the Federal court yesterday. Will you tell us, then, who did pay it?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question on the same grounds.

Mr. SCHERER. Isn't it a fact that the Communist Party paid the costs involved and advanced the costs involved in the filing of this litigation, and is also assuming the counsel fees involved in the presentation of this matter in the Federal Court?

Mrs. KINNEY. I decline to answer that question on the same grounds.

Mr. SCHERER. You signed this complaint. Who are your attorneys in that action that you filed yesterday?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, on the grounds that I cited previously.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you and order you to answer that question, Mrs. Kinney. It is usual for the attorneys in the State of California, at least, to sign——

Mr. SCHERER. One of them did.

Mr. DOYLE. Sign pleadings in both the State courts and the Federal courts.

(The witness conferred with her counsel.)

Mr. SCHERER. The copy discloses only the notary public.

Mr. DOYLE. In this complaint, the copy that we have that was served on Mr. Wheeler only discloses the notary public.

Mrs. KINNEY. Pardon me, I didn't hear your question.

Mr. SCHERER. There is a direction by the Chair that you answer my question as to who is your counsel in the litigation filed in the Federal court yesterday. Because the copy that was served on the staff of this committee does not indicate, with the exception of the notary, who that counsel is.

(The witness conferred with her counsel.)

Mrs. KINNEY. May I see that complaint, Mr. Chairman?

(Document handed to the witness.)

Mr. SCHERER. Would that make any difference as to answering the question as to who your counsel is? We could go over of course and look at it in the Federal court in the records of the Federal court but I think since it is a matter of public record you have no right to invoke the fifth amendment in refusing to answer the committee's question.

(The witness conferred with her counsel.)

Mr. SCHERER. How could it possibly incriminate you to say who represented you in the suit filed yesterday? If I ask you whether one of them is a Communist then you can properly invoke the fifth amendment. But you can't invoke the fifth amendment in good faith in refusing to answer my question who your counsel was in the suit filed yesterday.

(The witness confers with her counsel and examines document.)

Mrs. KINNEY. Mr. Chairman, I think that it is a matter on the record as to who the attorneys were that signed the complaint.

Mr. SCHERER. The mere fact that it is on the record then doesn't relieve you from telling. That fact alone prevents you in my opinion from invoking the fifth amendment when I asked you who your counsel were. It is kind of ridiculous, isn't it, to invoke the fifth amendment?

Mrs. KINNEY. I don't even recall all the counsel.

Mr. SCHERER. You don't know who all the counsel were? Was John Caughlan, the man who acted as notary public, one of counsel, then?

(The witness conferred with her counsel.)

Mrs. KINNEY. I don't know, Mr. Chairman.

Mr. SCHERER. You don't know whether he was one of counsel? Who selected these counsel?

Mrs. KINNEY. You will have to go to the record and find out.

Mr. SCHERER. Do you know John Caughlan, then?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, based upon my privilege under the fifth amendment.

Mr. SCHERER. Who selected these counsel, then, for you if you don't know who they are?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question based upon my privilege.

Mr. SCHERER. Did you read the allegations in that complaint before you signed the complaint?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons.

Mr. SCHERER. Do you know what is in that complaint?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question for the same reasons, Mr. Chairman.

Mr. SCHERER. When you signed that complaint—you told us before you swore to it—were you in the presence of the notary, John Caughlan, when you signed that complaint? Did you swear to it in his presence?

(The witness confers with her counsel.)

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, for the same reasons.

Mr. SCHERER. I think it is abundantly clear, now, what the situation is. You know John Caughlan to be a member of the Communist Party, do you not?

Mrs. KINNEY. I decline to answer that question, Mr. Chairman, for the same reasons.

Mr. SCHERER. I think it is abundantly clear to the committee and everyone else just what happened in this case.

Mr. DOYLE. May I ask—I have before me a check, No. 570, drawn on the Pacific National Bank of Seattle, dated September 1956. It is signed by you, apparently. This was already presented to you by our worthy counsel and there appears to be your signature upon it for the Washington State Committee for Protection of Foreign Born, made payable to the American Committee for Protection of Foreign Born. I just wish to recall, Mr. Scherer, as in other cases in Los Angeles and San Francisco, where the funds contributed by, presumably, the unsuspecting American public, are dispensed by persons identified under oath as Communists. So again I want to say to the people that read this record, or hear us, that they want to do that with their eyes open. They should have their eyes opened by this time.

One thing more, Mrs. Kinney: I have before me a letter, an open letter on the Walter-McCarran law, and I will read just two short paragraphs:

I am writing this letter because I am very deeply interested in the work of the Washington Committee for the Protection of Foreign Born. The committee is an unaffiliated, nonpartisan body—

notice “unaffiliated,” Mr. Scherer—

devoted to the preservation of democratic rights of all foreign-born residents of the United States.

And then skipping over to the last page—this is 2¾ pages long, typewritten—it says:

In closing I hope that the people of Seattle and our State will find a way of increasing the opposition to the Walter-McCarran law. I think the Washington Committee for the Protection of Foreign Born is worthy of all moral support to help effect this aim.

Do you know who apparently signed that, Mr. Scherer? Here is a copy of a signature, John W. Caughlan. He has been identified here as—

Mrs. KINNEY. Will you read the whole thing, Mr. Chairman?

Mr. SCHERER. No.

Mr. DOYLE. He has been identified here as the father of John Caughlan, who has been identified here under oath as a Communist who, himself, is the chairman, according to the sworn complaint under oath in the district court, which we have been discussing, and of which you Mr. Kinney—under oath, yesterday, in the Federal court, the complaint showed—were the executive secretary.

I just wish to say this: This 2-page document with which you apparently are familiar, and I only read it because it is addressed as an open letter. I presume therefore it is a hand-out to the public and to the press. The address of the gentleman is 4408 92d Avenue, Northeast Bellview, Wash. He attacks unmercifully Francis E. Walter,

the chairman of the full Committee on Un-American Activities. I just wish to say that Chairman Walter didn't hesitate at a matter of great personal sacrifice and inconvenience when the Russian Communists began butchering the people of Hungary—men, women, and children, because of their beliefs and desire for freedom—Chairman Walter didn't hesitate to go at once to Hungary and Austria and cut all the red tape he could to get thousands of refugees from Hungary into the United States in accordance with the Walter-McCarran bill and all the other Federal statutes.

Mr. SCHERER. It was the Walter-McCarran Act that made possible the receipt of these refugees.

Mr. DOYLE. That is right. I just wish the record to show that he didn't hesitate to do that, and they were foreign born, every one of them.

Mr. SCHERER. They are not interested in those people, because they are not Communists.

Mr. DOYLE. I am mighty proud of my country, that already we are spending millions of dollars in transportation and otherwise, to give those people a haven of freedom from the murderous attack of the very Soviet propaganda which some people before this committee in the last few years, many of them, support. In fact, the Communists have a habit of supporting that sort of butchering. At least they don't speak out against it. They don't resolve against that.

Mr. SCHERER. I resent also the attack on Chairman Walter of this committee. Chairman Walter happens to be a Democrat and I disagree with him on some things but he is a great American. And certainly this attack is unjustified.

Mr. DOYLE. I knew you felt that way about it and that is the reason I brought it out, for your information.

The reason he went over there and wore himself out physically to help protect those people to bring them to this country is the reason he is not here presiding as chairman of this committee this morning instead of me being here.

The committee is excused until 2 o'clock.

(Whereupon, at 12:40 p. m., the committee was recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION—THURSDAY, DECEMBER 13, 1956

(Committee members present : Representatives Doyle and Scherer.)

Mr. DOYLE. The committee will please reconvene.

May the record please show, Mr. Reporter, that of the subcommittee of three, Members Scherer of Ohio, on my right, and Doyle of California, acting as subcommittee chairman, are both personally present: therefore, a legal quorum constituting two is here present.

Proceed, Mr. Arens.

Mr. ARENS. Mr. Chairman, I should like to announce that the next witness who was scheduled was Dr. Barney Malbin. His attorney has appeared and presented to the committee a doctor's certificate to the effect that Dr. Malbin is confined to the hospital, and would therefore be unable to appear. I therefore respectfully suggest he be excused from appearance today, but that he be continued under his subpoena for an indefinite time until he can be called by the committee.

Mr. DOYLE. It will be so ordered.

Mr. ARENS. The next witness, if you please, is Mr. Lawrence Sefton. Mr. Sefton, will you please come forward?

I beg your pardon, I thought she (Mrs. Kinney) was excused.

Mr. DOYLE. Excuse me just a minute.

Are there any other questions?

Mr. SCHERER. No. I didn't see her there.

Mr. DOYLE. This witness is excused. Thank you, Counsel.

Mr. ARENS. Mr. Lawrence Sefton, please come forward.

Mr. DOYLE. Mr. Sefton, will you first be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEFTON. I do.

**TESTIMONY OF LAWRENCE SEFTON, ACCOMPANIED BY COUNSEL,
FRANK H. POZZI AND BERKELEY LENT**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SEFTON. Did you say name, residence, and occupation?

Mr. ARENS. If you please, sir.

Mr. SEFTON. My name is Lawrence Sefton. I reside in Portland, Oreg. And I am a waterfront worker.

Mr. Chairman, I would rather not be photographed.

Mr. DOYLE. Well, may I make it clear, please, if there are any newspaper photographers here who were not here when I announced it before that if the witness objects after he is sworn, the press will please not take any pictures out of respect for his request. But before a witness is sworn, it certainly is freedom of the press to take the picture and we have no objection. Proceed, Mr. Arens.

Mr. ARENS. Mr. Sefton, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SEFTON. That is right.

Mr. ARENS. And you are represented by counsel?

Mrs. SEFTON. I am.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. Pozzi. F. H. Pozzi, Loyalty Building and Mr. Lent, Loyalty Building, Portland, Oreg.

Mr. ARENS. I don't believe we got the name of your associate.

Mr. Pozzi. Mr. Lent.

Mr. ARENS. Do you want to give his first name, please?

Mr. Pozzi. Berkeley Lent.

Mr. ARENS. Mr. Sefton, are you a member of the Communist Party? (The witness confers with his counsel.)

Mr. SEFTON. I respectfully decline to answer that question, based upon the rights, privileges, and immunities afforded to me by the first, fourth, fifth, and ninth amendments to the Constitution of the United States.

Mr. ARENS. Mr. Sefton, we display to you now a reproduction of The Lamp, which is the official publication of the American Committee for Protection of Foreign Born. The issue we display to you is

the January 1950 issue, page 2. And in this issue, on this page, among other things, the following appears:

The Committee for Defense of Four of Oregon's Foreign Born, has issued an attractive folder on the Portland deportation cases. A copy of the folder can be obtained by writing to the committee secretary, Lawrence Sefton, 4616 Southwest Corbett, Portland, Ore.

Kindly look at this document and tell us whether or not you are accurately described in that document as secretary of that Committee for Defense of Four of Oregon's Foreign Born.

(See exhibit No. 14, appendix, p. 7111.)

(The witness confers with his counsel.)

Mr. SEFTON. I respectfully decline to answer that question based upon the rights, privileges, and immunities afforded to me by the first, fourth, fifth, ninth, and tenth amendments to the Constitution of the United States.

Mr. ARENS. What is your address in Portland, Ore.?

(The witness confers with his counsel.)

Mr. SEFTON. My address is 4616 Southwest Corbett Avenue, Portland, Ore.

Mr. ARENS. The record will show of course, Mr. Chairman, that is the same address of the committee as designated in The Lamp of the Committee for the Protection of Foreign Born.

Mr. DOYLE. May I suggest this to the witness and counsel: We will understand, and receive it as acceptable and sufficient, if, instead of reading the ground upon which you rely in your refusal to answer, as long as they are the constitutional grounds, you will just state "On the same grounds that I gave before." It will save your time and ours. We will receive it as sufficient pleading of the constitutional privilege.

Mr. SEFTON. Would the Chair prefer that I use the exact language that the Chair has just recited?

Mr. DOYLE. Oh, no. Don't try to do that. But if you will just say that you rely upon your constitutional grounds the same as you did before, it will be sufficient.

Mr. ARENS. Do you know Dr. Barney Malbin?

(The witness confers with his counsel.)

Mr. SEFTON. The same grounds, I decline to answer on the same grounds.

Mr. ARENS. Do you know Dirk De Jonge?

Mr. SEFTON. Again I decline to answer on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. I have no questions. Thank you, Witness and Counsel.

The witness is excused.

Mr. ARENS. Rachmiel Forschmiedt. R-a-c-h-m-i-e-l. Last name is F-o-r-s-c-h-m-i-e-d-t.

Mr. DOYLE. Please raise your right hand and be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FORSCHMIEDT. I do.

I respectfully request, Mr. Chairman, that neither the still cameras, motion picture, or TV cameras be used during my testimony.

Mr. DOYLE. There is no camera being pointed at you now that I can see. So no photography is going on in the room.

**TESTIMONY OF RACHMIEL FORSCHMIEDT, ACCOMPANIED BY
COUNSEL, CHARLES HOROWITZ**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FORSCHMIEDT. Rachmiel Forschmiedt, 6757 37th Avenue, SW., Seattle.

Mr. ARENS. Keep your voice up, Mr. Forschmiedt, so we can hear you.

Mr. FORSCHMIEDT. That is my customary speaking voice.

Mr. ARENS. Would you kindly get a little closer to the microphone.

Mr. FORSCHMIEDT. My occupation, I am self-employed.

Mr. SCHERER. I didn't hear you.

Mr. FORSCHMIEDT. Self-employed.

Mr. ARENS. Where are you employed, in what line of work?

Mr. FORSCHMIEDT. I sell.

Mr. ARENS. Sell?

Mr. FORSCHMIEDT. Yes.

Mr. ARENS. What do you sell?

Mr. FORSCHMIEDT. Whatever I do get to sell.

Mr. ARENS. What commodity do you sell?

Mr. FORSCHMIEDT. Sunglasses and gifts and things of that sort.

Mr. ARENS. Do you know a lady by the name of Barbara Hartle?

Mr. FORSCHMIEDT. On the grounds of the first amendment, which guarantees the right to freedom of speech and assembly and to petition Congress for redress of grievances—

Mr. SCHERER. I cannot hear.

Mr. ARENS. Could you raise your voice a little, please.

Mr. FORSCHMIEDT. On the grounds of the first amendment to the United States Constitution which guarantees the right of freedom of assembly and the right to petition Congress for redress of grievances, and also freedom of speech, and on the basis of the fifth amendment to the United States Constitution which protects a person against self-incrimination, I refuse to answer that question.

Mr. ARENS. Now you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. FORSCHMIEDT. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. FORSCHMIEDT. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. HOROWITZ. My name, Mr. Chairman, is Charles Horowitz. I am first vice president of the Seattle Bar Association. I am appearing here by appointment of the president of the association pursuant to the policy of the association to provide counsel for indigent witnesses.

Mr. ARENS. Mrs. Hartle, would you kindly stand up.

(The witness Hartle stood up.)

Mr. ARENS. Now, Mr. Forschmiedt, look over to your right there to the lady who is standing. Do you see her?

Mr. FORSCHMIEDT. Yes.

Mr. ARENS. This morning she took an oath before this committee and testified that she knew you as a member of the Communist Party. Was she lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. FORSCHMIEDT. I refuse to answer on the grounds previously stated.

Mr. ARENS. Now, we want to display to you certain signatures for the Washington State Committee for Protection of Foreign Born, in which your name appears. One as past president and the other as president. Kindly look at these signature cards on the Pacific National Bank of Seattle, of the Washington Committee for Protection of Foreign Born, and tell this committee while you are under oath whether or not you are able to identify your signature.

While he is doing that, Mr. Chairman, I respectfully suggest that if, as, and when this witness signs a pay voucher that part of the voucher bearing his signature be incorporated in the body of the record.

(Documents marked "Exhibit No. 631" for identification.)¹

(The witness examines document and confers with his counsel.)

Mr. FORSCHMIEDT. On the grounds previously stated I refuse to answer that question.

Mr. ARENS. Now, we display to you a document of the Northwest Committee for Protection of Foreign Born, which has been identified in this record as the predecessor organization of the Washington Committee for Protection of Foreign Born, in which your name appears as one of the committee. Kindly look at this document and see if you won't be good enough to verify the designation there of yourself.

(The witness examines document and confers with his counsel.)

Mr. FORSCHMIEDT. On the grounds previously stated I refuse to answer that question.

Mr. ARENS. Are you now a Communist?

(The witness confers with his counsel.)

Mr. FORSCHMIEDT. On the grounds previously stated I refuse to answer that question.

Mr. ARENS. That concludes the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. I have no questions.

Mr. DOYLE. The witness is excused. Thank you, Counsel.

Mr. ARENS. Walter Belka, please come forward.

Please remain standing while the chairman administers an oath to you, Mr. Belka.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELKA. I do.

Mr. DOYLE. Thank you. Please occupy the witness chair.

¹ Signature cards retained in committee files and signed voucher not returned at date of printing of testimony.

**TESTIMONY OF WALTER BELKA, ACCOMPANIED BY COUNSEL,
JAY G. SYKES**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

(The witness confers with his counsel.)

Mr. SYKES. Might I direct an inquiry to the Chair?

Mr. ARENS. Surely. Is this witness hard of hearing?

Mr. SYKES. No; he is not hard of hearing.

Mr. ARENS. There was some witness whose counsel said he or she was hard of hearing and I made a notation. I see it now. It is another witness.

Mr. SYKES. Mr. Chairman, I am not certain whether the Chair or the committee counsel has stated officially the scope of these hearings.

Mr. DOYLE. We have stated them, and if that is your inquiry I am sorry we can't take time now to repeat them again.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation, Mr. Belka.

Mr. BELKA. My name is Walter Belka. I live in Seattle.

Mr. ARENS. Please complete the answer.

Mr. BELKA. I decline to answer this question or any further questions of the committee on the grounds that the scope and purpose of this committee, as stated by the committee, is beyond the scope of its mandate, and is in violation of the first amendment to the Constitution and article I, section 8, of the Constitution.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be now ordered and directed to answer the question.

Mr. DOYLE. I direct, Witness, that you answer that last question, please.

(The witness confers with his counsel.)

Mr. BELKA. I must decline to answer the question on the grounds previously stated.

Mr. ARENS. In view of the rather poor acoustics here, I don't know whether you invoked the fifth amendment or not.

Mr. Belka, did you invoke the provisions of the fifth amendment in response to that question? The noise outside and the acoustics here are rather poor.

Mr. BELKA. I did not.

Mr. ARENS. What is your home address?

Mr. BELKA. 2921 12th Avenue South.

Mr. ARENS. Are you a Communist?

(The witness confers with his counsel.)

Mr. BELKA. I decline to answer on the grounds previously stated.

Mr. ARENS. Let's get the record clear. Do the grounds previously stated with reference to this last principal question include an invocation of the fifth amendment?

(The witness confers with his counsel.)

Mr. BELKA. It did not include it, Counsel.

Mr. ARENS. I beg your pardon.

Mr. BELKA. It did not include it, Counsel.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BELKA. Will you repeat the question, please?

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. BELKA. Yes; I am.

Mr. ARENS. You are represented by counsel?

Mr. BELKA. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. SYKES. Jay G. Sykes, Seattle.

Mr. ARENS. Mrs. Hartle, would you kindly stand up.

(The witness Hartle stood up.)

Mr. ARENS. Mr. Belka, would you kindly look at the lady there standing by the window.

(The witness confers with his counsel.)

Mr. ARENS. Do you see her?

Mr. BELKA. Could she come a little closer, please.

Mr. ARENS. Yes. Would you step over a little. It is a little dark there by the—

(The witness confers with his counsel.)

Mr. BELKA. I see her.

Mr. ARENS. Have you ever seen her before?

(The witness confers with his counsel.)

Mr. BELKA. Yes; I have seen her before.

Mr. ARENS. Where?

Mr. BELKA. I think I saw her on TV in some of the previous hearings.

Mr. ARENS. Have you ever seen her in a Communist Party meeting?

(The witness confers with his counsel.)

Mr. BELKA. I refuse to answer on the grounds previously stated.

Mr. ARENS. This lady took an oath this morning and laid herself open to perjury prosecution if she lied, and she said that she knew you as a Communist.

While you are under oath, will you tell this committee was she lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. BELKA. I decline to answer on the grounds previously stated.

Mr. ARENS. Now, I would like to invite your attention to a few exhibits. First of all, we have here a document from the Daily Worker, New York, March 10, 1950:

NORTHWEST GROUP PROTESTS MUNDT BILL

The Washington Pension Union has sent emergency notices to locals representing 18,000 members calling for certain protests against the Mundt bill.

That was the anti-Communist bill when it was in the Congress.

Karly Larsen, president, and Walter Belka, secretary of the Northwestern Washington District Council, International Woodworkers of America.

Kindly look at that document and see if you were appropriately designated there, and if you were one who was active in that enterprise described in the Communist Daily Worker.

(The witness confers with his counsel.)

Mr. BELKA. I decline to answer on the grounds previously stated.

Mr. ARENS. Now, Mr. Belka, I show you two photostats which have been introduced into this record. One is an application form for membership in the Northwest Committee for Protection of Foreign Born and the other is a call to a conference to fight deportation of certain people under the auspices of the Northwest Committee for Protection of Foreign Born. Your name appears as a member of the official group in each instance.

(See exhibits Nos. 617 and 618, appendix, pp. 8205-8209.)

(The witness examines document and confers with counsel.)

Mr. BELKA. I decline to answer on the grounds previously given.

Mr. ARENS. Have you been rather active in defense of the Bill of Rights in the course of the last few years?

(The witness confers with his counsel.)

Mr. BELKA. Well, I think I have been.

Mr. ARENS. Tell us what you have done in defense of the Bill of Rights in the course of the last few years?

Mr. BELKA. I decline to answer on the grounds previously given.

Mr. ARENS. As an upstanding citizen, you certainly wouldn't feel ashamed of anything you did to defend the great Bill of Rights, would you?

(The witness confers with his counsel.)

Mr. BELKA. No; I think everybody should defend the Bill of Rights, Mr. Counsel.

Mr. ARENS. I want to see if you can help us.

Here is an article from the Daily Worker of June 6, 1949: "Men of labor and civic leaders throughout Nation voice indignation." It talks about Judge Medina, who tried the 11 Communist traitors in New York City, and we see here the following:

Speaking for the Northern Washington District Council of the International Woodworkers of America, Karly Larsen, president and Walter Belka, secretary, wired Medina: "Your high-handed action makes a mockery of the Bill of Rights."

Look at that document and see if that is what you mean when you were telling us about your defense of the Bill of Rights, your attack upon the Federal judge who sentenced 11 Communists traitors to the penitentiary.

(Document marked "Exhibit No. 632," see appendix, p. 8226.)

(The witness examines document and confers with counsel.)

Mr. BELKA. I have an opinion on that, Mr. Counsel.

Mr. ARENS. I beg your pardon?

Mr. BELKA. I have an opinion on that.

Mr. ARENS. We would be delighted to have you express it.

Mr. BELKA. I would be delighted to discuss it with you probably someplace else.

Mr. ARENS. You mean after you are released from the pains and penalties of your oath?

Mr. BELKA. I decline to answer for the grounds previously given.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. I have no questions.

Mr. DOYLE. Thank you, witness and counsel. You are both excused.

Mr. ARENS. Mr. Dirk De Jonge, kindly come forward.

Mr. DOYLE. Please raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DE JONGE. I do.

TESTIMONY OF DIRK DE JONGE

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. DE JONGE. My name is Dirk De Jonge. I am a retired lumber worker, and I live at 1415 Southwest Alder Street, Portland, Oreg.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DE JONGE. Yes, I was served a subpoena.

Mr. ARENS. Mr. De Jonge, you are not represented by counsel?

Mr. DE JONGE. No, I am not.

Mr. ARENS. Mr. De Jonge, are you a Communist?

Mr. DE JONGE. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. Mr. De Jonge, I want to lay before you first of all a document from the International Labor Defense, which this record shows is a predecessor organization to the American Committee for Protection of Foreign Born. Dirk De Jonge is listed here as a member of the national committee.

Kindly look at this document issued by the International Labor Defense, and tell this committee whether or not you are accurately designated.

(Document marked "Exhibit No. 633," see appendix, p. 8227.)

Mr. DE JONGE. I decline to answer this question on the basis of the fifth amendment.

Mr. ARENS. Do you know a man by the name of Homer L. Owen, O-w-e-n?

Mr. DE JONGE. I decline to answer that question.

Mr. ARENS. Mr. Owen took an oath before this committee and laid his liberty on the line and said, while he was under oath, that he knew you as a member of the Communist conspiracy. Was he lying or was he telling the truth?

Mr. DE JONGE. I decline to answer that question, also.

Mr. ARENS. Now, Mr. De Jonge, are you connected with the Oregon Committee for Protection of Foreign Born?

Mr. DE JONGE. I decline to answer that on the same basis.

Mr. ARENS. I want to lay before you, if you please, sir, another document. It is from the Daily Worker of December 1934, with reference to a trial of Edward Denny, Daily Worker salesman, charged with criminal syndicalism. According to this article in Portland, Don Cluster, 21-year-old organizer of the Young Communist League has been sentenced to jail and Dirk De Jonge, Communist candidate for mayor in the last municipal election, to 7 years.

Kindly look at this document and tell this committee while you are under oath whether you were accurately described there.

(Document marked "Exhibit No. 634," see appendix, p. 8228.)

(The witness examines document.)

Mr. DE JONGE. I decline to answer this question on the same basis.

Mr. ARENS. I put it to you as a fact, sir, that you are now one of the chairmen, or you recently were one of the chairmen, of the Oregon Committee for Protection of Foreign Born.

Mr. DE JONGE. I decline to answer that question also.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that concludes the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. Thank you, Mr. De Jonge. You are excused from further attendance.

Mr. ARENS. Mary Jane Tancioco, T-a-n-c-i-o-c-o.

Mr. DOYLE. Please raise your right hand and be sworn.

Do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. TANCIOCO. I do.

Mr. DOYLE. Thank you.

TESTIMONY OF MRS. MARY JANE TANCIOCO, ACCOMPANIED BY COUNSEL, FRANK H. POZZI AND BERKELEY LENT

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mrs. TANCIOCO. My name is Mrs. Mary Jane Tancioco. My address is 7805 Southwest Taylors Ferry Road, Portland, Oreg. I am a stenographer-receptionist.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with her counsel.)

Mrs. TANCIOCO. Yes, I am.

Mr. ARENS. You are represented by counsel?

Mrs. TANCIOCO. Yes.

Mr. ARENS. Will counsel kindly identify yourselves.

Mr. POZZI. F. H. Pozzi, Loyalty Building, Portland, Oreg.; Berkeley Lent, Loyalty Building, Portland, Oreg.

Mrs. Tancioco. Sir, I would prefer not to be televised. I don't know whether the television cameras are operating but I would like to ask—

Mr. ARENS. It is off now, I believe.

Mrs. TANCIOCO. Thank you.

Mr. ARENS. What was your maiden name, ma'am?

(The witness confers with her counsel.)

Mrs. TANCIOCO. My maiden name was Brewster, B-r-e-w-s-t-e-r.

Mr. ARENS. Then you have been known both as Mary Jane Brewster and as Mary Jane Tancioco?

Mrs. TANCIOCO. Tan-chi-yoko.

Mr. ARENS. Tan-chi-yoko.

Mrs. TANCIOCO. Yes.

Mr. ARENS. Now, we display to you an original letter of the Committee for Protection of Oregon's Foreign Born, dated February 9, 1953, bearing the name Mary Jane Tancioco as corresponding sec-

retary. Kindly look at this document and tell this committee whether or not that is your signature and whether or not you are accurately described therein as corresponding secretary of that organization.

(Document marked "Exhibit No. 635," see appendix, p. 8229.)

(The witness confers with her counsel.)

Mrs. TANCIOCO. Sir, I respectfully decline to answer that question based on the rights, privileges and immunities afforded to me by the first, fourth, fifth, ninth and tenth amendments to the Constitution of the United States.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not that is your signature you would be supplying information which could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. TANCIOCO. I decline to answer on the grounds previously stated, sir.

Mr. ARENS. Mr. Chairman, I suggest the witness be ordered to answer that question.

Mr. DOYLE. I direct you to answer that question.

(The witness confers with her counsel.)

Mrs. TANCIOCO. Sir, may I request that you repeat the question.

Mr. ARENS. Do you honestly fear that if you told this committee truthfully whether or not that is your signature on this document, and whether or not you are or have been the executive secretary of this organization, you would be supplying information which might be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. TANCIOCO. Yes.

Mr. ARENS. Thank you.

Do you know a person by the name of Owen, Homer Owen?

(The witness confers with her counsel.)

Mrs. TANCIOCO. I respectfully decline to answer on the grounds previously stated, sir.

Mr. ARENS. In 1954 Mr. Owen took an oath before the Committee on Un-American Activities, laid his liberty on the line, and said while he was under oath, subject to the pains and penalties of perjury, that he knew you as a Communist. Was Mr. Owen lying or was he telling the truth?

(The witness confers with her counsel.)

Mrs. TANCIOCO. I respectfully decline again, sir, to answer on the grounds stated.

Mr. ARENS. Now I display to you, if you please, a reproduction of a document of the Committee for Protection of Oregon's Foreign Born, calling for the repeal of the McCarran-Walter Act, attacking the act, in which your name appears. Kindly look at this document and tell this committee whether or not you are connected with the Committee for Protection of Oregon's Foreign Born.

(Document marked "Exhibit No. 636," see appendix, p. 8230.)

(The witness confers with her counsel.)

Mrs. TANCIOCO. I respectfully decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. I have no questions, but I want to reiterate here, and I know that some witnesses and counsel are in the hearing room now who were not here this morning, that this committee recognizes as a committee of Congress the right of any American citizen to petition us or to object to any legislation, both that which is on the books and that which is contemplated. We, for instance, recognize the constitutional right of the Communist Party or the Committee for the Protection of Foreign Born, or any group or any individual to petition Congress. But we feel full well that we are entitled to know the identity of the people or groups that are petitioning Congress in order that we might be able to judge the full weight and credit which shall be given to any petitioning individual or group.

I think, Madam, I should state while you are on the stand, as I did this morning to some others, that we don't object to the Communist Party petitioning us. We do think that they ought to do it in their own name, instead of doing it through a dummy organization which they don't reveal is controlled by the Communist Party. And that is the main purpose of this hearing, to examine the extent to which the Committee for Protection of Foreign Born in the Northwest is controlled by the Communist conspiracy.

We have no objection to the Communist Party petitioning us, nor do we have objection to the Committee for Protection of Foreign Born petitioning us, except that we do now know by these hearings and otherwise that the Committee for Protection of Foreign Born in the Northwest is dominated and controlled by identified Communists. And, therefore, it is the Communist conspiracy in the Northwest which is in fact petitioning us, undisclosed, under the guise of the American Committee for the Protection of Foreign Born, instead of bona fide patriotic citizens.

Thank you very much.

Mr. ARENS. Just one more question, if you please.

Are you now a member of the Communist conspiracy?

(The witness confers with her counsel.)

Mrs. TANCIOCO. I respectfully decline to answer on the same constitutional grounds.

Mr. ARENS. The next witness, if you please, Mr. Chairman.

Mr. DOYLE. Witness and Counsel, thank you. You are excused.

Mr. ARENS. James S. Fantz.

Mr. POZZI. Is the witness excused from further attendance?

Mr. DOYLE. Yes.

Mr. ARENS. F-a-n-t-z.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FANTZ. I do.

TESTIMONY OF JAMES S. FANTZ, ACCOMPANIED BY COUNSEL, FRANK H. POZZI AND BERKELEY LENT

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FANTZ. I would like to request that no pictures, television, or movies be taken, please.

Mr. DOYLE. That will be observed. The press will gladly cooperate with us. They will observe your request.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FANTZ. My name is James S. Fantz. I reside in Portland, Oreg., and I am employed as a maritime worker.

Mr. ARENS. Where are you employed, Mr. Fantz, as a maritime worker?

Mr. FANTZ. On the waterfront.

Mr. ARENS. What capacity?

Mr. FANTZ. As a longshoreman.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. FANTZ. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. FANTZ. Yes.

Mr. ARENS. Counsel, will you kindly identify yourselves.

Mr. POZZI. F. H. Pozzi, Loyalty Building, Portland, Oreg.; Berkeley Lent, Loyalty Building, Portland, Oreg.

Mr. ARENS. Mr. Fantz, we display to you now two letters of different dates, on stationery of the Committee for Protection of Oregon's Foreign Born, both calling for funds and activities to repeal the Immigration and Nationality Act. On these letterheads your name appears as a sponsor. Kindly look at those documents, please, sir, while you are under oath, and tell this committee whether or not you are accurately and appropriately identified there.

(See exhibit Nos. 635 and 636, appendix, pp. 8229, 8230.)

(The witness confers with his counsel and examines document.)

Mr. FANTZ. I respectfully decline, Mr. Chairman, to answer that question based upon the rights, privileges, and immunities afforded to me by the 1st, 4th, 5th, 9th, and 10th amendments to the Constitution of the United States.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. FANTZ. I decline to answer that on the same grounds previously stated.

Mr. ARENS. Are you now a member of the Communist conspiracy?

(The witness confers with his counsel.)

Mr. FANTZ. I decline on the same grounds.

Mr. ARENS. Now we display to you, Mr. Fantz, a photostatic copy of an article appearing in the Daily People's World, April 1955, in which a number of people are attacking and denouncing the Brownell-Butler law. That was the law that was pending in the Congress to enable the Defense Department to oust from defense facilities Communist saboteurs. Among those who are participating in this enterprise and protesting the Brownell-Butler law, is listed here James Fantz, Portland, longshoreman's Local 8, in which Mr. Fantz is quoted as saying:

The Brownell law is a hoax on the American people and the delegates should bring back the discussion to the rank and file. "Today," he said, "there is no free discussion and we must speak out."

Will you kindly, while you are under oath, speak out and tell this committee whether or not you are the Fantz who was protesting this anti-Communist legislation?

(Document marked "Exhibit No. 637," see appendix, p. 8231.)

(The witness confers with his counsel and examines document.)

Mr. FANTZ. Would you please read back the exact wording of the question?

Mr. ARENS. Mr. Reporter, would you kindly read it to the witness?

(The reporter read from his notes as requested.)

Mr. FANTZ. I decline to answer this on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. May I ask, Mr. Fantz, may we have the benefit of any other criticism or suggestion you may have, with regard to the internal security provisions, the antisubversive and anti-Communist provisions of any of our Federal statutes? I ask you that so if you do have any criticism or suggestion, only relating to the antisubversive sections of Federal statutes—that is what we are concerned with in these hearings—I will be glad to get them from you.

(The witness confers with his counsel.)

Mr. FANTZ. Not at this time, Mr. Chairman.

Mr. DOYLE. I thank you. The witness is excused. Counsel, also.

Mr. ARENS. The next witness, if you please, will be Myrna Anderson. M-y-r-n-a Anderson, A-n-d-e-r-s-o-n. Please come forward.

Mr. BARNETT. Mr. Chairman, I am one of the Seattle attorneys appointed by the bar representing the civil rights committee. The witness has asked me to precede her for reasons of health to ask that the Chair instruct or request photographers not to take flash pictures of her and she does not wish to be televised. She was under a tuberculosis operation as late as 1953 and she has been nervous and feels that this will be injurious to her.

Mr. DOYLE. Well, I will not instruct the press to waive their rights of freedom. However, they have heard your statement and they are as anxious to protect the rights, the health, of any citizen as we are. As you know, the rule is we will not instruct the press in any way prior to the time a witness is sworn.

Mr. BARNETT. The witness feels, Mr. Chairman, that she was compelled by subpoena to be here before being sworn. I feel that she is under protection of the committee.

Mr. DOYLE. I know. But we think that maybe waiting an hour or 2 or 3 isn't too long for a witness to wait on a busy hearing of this kind. I don't think so, Counsel. So let us call your witness and we will make this as convenient as we can and as easy as we can. We regret her illness.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss ANDERSON. I do.

Mr. DOYLE. May I have the record show that I thank the press for not photographing her prior to the time that she was sworn. I think the press deserves a compliment for cooperation.

Mr. BARNETT. We certainly thank them, Mr. Chairman.

TESTIMONY OF MISS MYRNA ANDERSON, ACCOMPANIED BY
COUNSEL, ARTHUR G. BARNETT

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss ANDERSON. My name is Myrna Anderson. I live in Seattle and I work as a secretary.

Mr. ARENS. Are you a Communist?

(The witness confers with her counsel.)

Miss ANDERSON. I decline to answer that question under the self-incrimination clause of the fifth amendment to the Constitution.

Mr. ARENS. Do you know Barbara Hartle?

(The witness confers with her counsel.)

Miss ANDERSON. I decline to answer on the same grounds.

Mr. ARENS. Mrs. Hartle, would you kindly stand up?

(Witness Hartle stood up.)

Mr. ARENS. Miss Anderson, would you please look to your right there at Mrs. Hartle. Did you ever see her before?

(The witness confers with her counsel.)

Miss ANDERSON. I decline to answer that question on the same grounds, fifth amendment.

Mr. ARENS. She came forward in public testimony under oath and said she knew you as a Communist, a member of the Communist conspiracy. Was she lying or was she telling the truth?

Miss ANDERSON. I must decline to answer that question on the basis of the self-incrimination provisions of the fifth amendment.

Mr. ARENS. Now, we lay before you two documents, one is an application form for membership in the Northwest Committee for Protection of the Foreign Born; the other is a call to a Northwest conference under the auspices of the Northwest Committee for Protection of Foreign Born, which is identified here on this document as an affiliate of the American Committee for Protection of Foreign Born. Your name appears in both documents as an officer or sponsor, as the case may be, of the organization.

Kindly look at those documents and see if you will be good enough to verify the authenticity of the designation of yourself.

(See exhibit Nos. 617 and 618, appendix, pp. 8205-8209.)

(The witness confers with her counsel.)

Miss ANDERSON. I must decline to answer the question on the basis of the self-incrimination provisions of the fifth amendment.

Mr. ARENS. Are you connected, or have you been connected, with the United Office and Professional Workers Union?

(The witness confers with her counsel.)

Miss ANDERSON. I must decline to answer that question on the basis of the self-incrimination provision of the fifth amendment.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer that question, whether she is connected with that union.

Mr. DOYLE. You heard the question, Witness?

(The witness confers with her counsel.)

Miss ANDERSON. Yes; I heard the question.

Mr. DOYLE. I instruct you to answer that question.

(The witness confers with her counsel.)

Miss ANDERSON. I must decline to answer the question on the grounds previously stated.

Mr. ARENS. Now, this document which we first displayed to you, identifies you as an official of the United Office and Professional Workers Union, indeed, as president of one of the locals of that organization. Is that a correct designation?

(The witness confers with her counsel.)

Miss ANDERSON. I decline to answer on the same grounds previously stated.

Mr. ARENS. Where do you work now?

(The witness confers with her counsel.)

Miss ANDERSON. I am employed by a local automobile firm.

Mr. ARENS. How long have you been so employed?

(The witness confers with her counsel.)

Miss ANDERSON. Approximately 3 years.

Mr. ARENS. And what was your employment immediately prior to that time?

(The witness confers with her counsel.)

Miss ANDERSON. I was in Furland Sanitorium.

Mr. ARENS. What was your employment prior to that time?

(The witness confers with her counsel.)

Miss ANDERSON. I must decline to answer on the basis of the fifth amendment.

Mr. ARENS. In view of the record and the exhibits, Mr. Chairman, identifying this lady with the United Office and Professional Workers Union, I respectfully suggest that this record at this point reflect the fact that the United Office and Professional Workers Union was ejected from the CIO because the CIO found that organization was not in truth and in fact a labor organization but was controlled by the Communist conspiracy.

Mr. DOYLE. The record will so show.

Mr. ARENS. Are you connected with the American Peace Crusade?

(The witness confers with her counsel.)

Miss ANDERSON. I must decline to answer on the basis of the fifth amendment.

Mr. ARENS. Are you Miss or Mrs.?

Miss ANDERSON. I am Miss Anderson.

Mr. ARENS. I want to exhibit to you now, if you please, a copy of the Daily Peoples World of February 1951:

PEACE POLL BOOMS

A peace committee of Local 35, Distributive Processing and Office Workers, is gathering signatures to the mass "peace poll" sponsored by the American Peace Crusade, President Myrna Anderson announced this week.

And so forth.

Kindly look at the document and tell this committee while you are under oath whether or not you were accurately described there.

(Document marked "Exhibit No. 638," see appendix, p. 8232.)

(The witness confers with her counsel and examines document.)

Miss ANDERSON. I must decline to answer on the grounds previously stated on the fifth amendment.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. No, Mr. Doyle; I have no questions.

Mr. DOYLE. I think before the witness is excused, in view of the questions and answers that were given and made at this point, it is proper for me to call attention to the fact that when I was here in Seattle on June 14 and 15, 1954, on this committee, I read into the record a portion of news release issued by Walter P. Reuther. It was pertinent at that time, and I think it is pertinent right here because it refers to UAW-CIO. I will just take the time to read four sentences by Mr. Reuther, national president of UAW-CIO at that time, and I quote:

We have no quarrel with the professed purposes of the House Committee on Un-American Activities. Each witness appearing before these committees must of course make his own individual decision as to the course of action which he will follow in his testimony. This is a matter of individual conscience and judgment. However, we in UAW-CIO sincerely urge every witness called before the House Un-American Activities Committee, if it is at all possible to do so, to avoid using the fifth amendment.

Just that part of the record as I made it in 1954 in this city.

Mr. ARENS. That will conclude the staff interrogation of this witness.

Mr. DOYLE. The witness is excused, and counsel.

Mr. ARENS. Sarah Hortense Lesser. H-o-r-t-e-n-s-e L-e-s-s-e-r. Please come forward.

Miss LESSER. I don't see my attorney. Might I go and look for my attorney?

Mr. ARENS. Surely. There she comes.

Please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Will you please raise your right hand and be sworn. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss LESSER. I do.

Mr. DOYLE. Please take a chair.

TESTIMONY OF MISS SARAH HORTENSE LESSER, ACCOMPANIED BY COUNSEL, JAY G. SYKES

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss LESSER. My name is Sarah Lesser. My address is 317 Second and Cherry Building. I am by occupation an attorney.

Mr. ARENS. Is your name Miss or Mrs.?

Miss LESSER. Miss.

Mr. ARENS. You are appearing today, Miss Lesser, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Miss LESSER. You can put your hand down. We can see your grin. Yes.

Mr. ARENS. And you are represented by counsel?

Miss LESSER. Yes; I am.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. SYKES. Jay G. Sykes.

Mr. ARENS. Miss Lesser, give us if you please, just a thumbnail sketch of your education.

Miss LESSER. I am a graduate of the University of Michigan, with a bachelor of arts degree, and I am a graduate of the University of Washington with a law degree.

Mr. ARENS. And when did you receive your law degree?

Miss LESSER. In 1951.

Mr. ARENS. And you are admitted to practice law in the courts of the State of Washington?

Miss LESSER. In the courts of the State of Washington, and in the Federal courts and in the Immigration Service.

Mr. ARENS. You are admitted to practice law in the Immigration Service, too?

Miss LESSER. That is right, and the circuit court of appeals.

Mr. ARENS. You are admitted in the Federal court also?

Miss LESSER. That is right.

Mr. ARENS. Miss Lesser, when you received your license to practice law in the courts of this State, did you take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic?

(The witness conferred with her counsel.)

Miss LESSER. Yes; of course.

Mr. ARENS. At the time you took that oath, were you a member of the Communist Party?

(The witness confers with her counsel.)

Miss LESSER. I have a statement to make at this point, and I want to get it in.

Mr. SCHERER. I ask that you direct the witness to answer the question, Mr. Chairman.

Mr. DOYLE. You are instructed to answer.

* * * * *

Miss LESSER. I am going to decline to answer that question and I would like to read a short statement to explain my answer.

Mr. ARENS. Just a minute. How long is that statement?

Miss LESSER. It will take about 1 minute.

Mr. ARENS. So we know the source of that statement, was it written by a member of the Communist conspiracy?

(The witness confers with her counsel.)

Miss LESSER. It was written by me. And I don't need anybody telling me how to write a statement. As I told you, I have two degrees and I would think that that would be sufficient to convince you that I can write as I please.

Mr. ARENS. Tell us, in addition to your degrees, when you wrote that statement were you a member of a conspiratorial apparatus designed to destroy the Constitution of the United States?

Miss LESSER. There is a question pending and I said I wished to answer, read the statement, before I continued and there is a question pending and I cannot answer two questions at the same time.

Mr. ARENS. Accept my apologies, lady. You go right ahead.

Miss LESSER. I have been subpoenaed to appear before this committee to aid it in an investigation which, as to stated purpose, is illegal in my opinion. The powers given to Congress are enumerated in article I, section 8 of the Constitution. The powers given to the executive and judicial branches of the Government are also enumerated in the Constitution. Any other powers remain in the people. And these powers granted to Congress do not include—excuse me—the inquiry into legitimate political activity.

The first ten amendments of our Constitution were adopted to insure that all citizens of our country could not have certain of their rights usurped by any branch of the Government. And so the first amendment states in part that Congress shall make no law abridging the freedom of speech, or of the press, or of the rights of the people peaceably to assemble and to petition the Government for a redress of their grievances. Under that provision it appears to me that not only President Eisenhower and Mrs. Eleanor Roosevelt and other dignitaries may state that they consider the Walter-McCarran Act and other legislation unwise and work for its amendment, revision or appeal, but I can do it, too. And so can any person.

Mr. ARENS. Of course you can.

Miss LESSER. So can any person in this room.

Mr. ARENS. Of course you can. We want you to tell us what you have done along that line.

Miss LESSER. And Congress has no power to prevent it and therefore cannot legislate to prevent peaceable opposition. And since Congress has no power to so legislate in this field, it has no such power to investigate it.

And I wish to point out to the committee that in *Rumely v. United States* the Court held that Congress could not give—the Court held in that case that Congress could not give a committee power to investigate activities intended to influence, encourage, promote or retard legislation or to investigate activities designed to influence legislation indirectly by influencing public opinion, as this committee has done, because this is beyond any power conferred on Congress by the Constitution and violates the first amendment.

Therefore, I decline to answer on the grounds of the first amendment and article I, section 8 of the Constitution.

Mr. ARENS. Do you want to invoke the fifth amendment?

Miss LESSER. No, I do not.

Mr. ARENS. Are you now a Communist?

Miss LESSER. I answer as before. If you want me to repeat the statement, I will.

Mr. ARENS. I just want to be sure that the record is clear on whether or not you have invoked the fifth amendment on that question.

(The witness confers with her counsel.)

Miss LESSER. I will reconsider that. I am not now a Communist.

Mr. ARENS. Have you ever been a Communist?

(The witness confers with her counsel.)

Miss LESSER. Will you define that? Do you mean that as a matter of philosophical belief or as a member of an actual Communist Party?

Mr. ARENS. You tell what is in your mind, if you want to tell us.

Miss LESSER. You tell us what is in your mind. You are the questioner.

Mr. ARENS. Have you ever been a member of the Communist Party?

Miss LESSER. No, I have never.

Mr. ARENS. Have you ever been under Communist discipline?

Miss LESSER. What do you mean by that?

Mr. ARENS. Under the control and responsible to the will of the Communist Party.

Miss LESSER. No.

Mr. ARENS. Do you know a lady by the name of Barbara Hartle?

Miss LESSER. Certainly I do.

Mr. ARENS. Do you remember a conversation you had with her some time ago, in which you talked about the Communist Party?

Miss LESSER. Now let me explain something to you. I was an attorney in a case involving Barbara Hartle. I never met her before I met her up in jail, and I was an attorney at the time called in to represent her. And any conversations I had with her were conversations concerning representation of her and other codefendants in a case. And I have had no personal conversations with that woman whatsoever. And I would request at this time that you have repeated in the record the question you asked her, the answer she made, and you will see how equivocal it is.

Mr. ARENS. Tell us have you had any conversations with Barbara Hartle—

Miss LESSER. I have had many conversations.

Mr. ARENS. Just a moment, please, ma'am. Have you had any conversations with Barbara Hartle other than those conversations which were in the capacity of attorney and client?

(The witness confers with her counsel.)

Miss LESSER. They were not, except that I may say this: That the—

Mr. ARENS. Let's get the record clear. You are a lawyer and you know what it means to clear the record. Tell us have you had any conversation with Barbara Hartle other than the conversations as attorney and client?

Miss LESSER. Now I am going to explain that answer, now, and you cannot stop me. I was attorney for several people besides Barbara Hartle at the same time. And I want to make that clear, and that I have a duty as an attorney and an attorney-client privileged communications, as you know them—you are all attorneys here—and that I can only go so far in answering this. And I will say that I have had no conversations with Barbara Hartle except as a result of representing her or other codefendants of hers.

Mr. ARENS. Let's be sure of something here.

Mr. SCHERER. Witness, what would your representation of Barbara Hartle, if there was such representation, have to do with the statement by you that you had been subjected to Communist discipline?

Miss LESSER. I never made such a statement. I will deny it equivocally [sic].

Mr. ARENS. Did you ever live in Chicago?

Miss LESSER. Yes, I lived in Chicago.

Mr. ARENS. When did you live in Chicago?

(The witness confers with her counsel.)

Mr. ARENS. Maybe this will help you: Were you educational director of Branch 16 of the Communist Party in Chicago in 1942 and 1943?

(The witness confers with her counsel.)

Miss LESSER. No.

Mr. ARENS. Have you ever attended meetings of the Communist Party in Chicago?

(The witness confers with her counsel.)

Miss LESSER. The Loyalty Board made the determination that I did not. You know that.

Mr. ARENS. Were you ever expelled from the Communist Party?

Miss LESSER. I never belonged to the Communist Party so I could never have been expelled from it.

Mr. ARENS. Did you ever live in Toledo, Ohio.

Miss LESSER. Yes, I have lived in Toledo, Ohio.

Mr. ARENS. While you were in Toledo, Ohio, in the early 40's, were you an active member of the Communist Party in that city?

Miss LESSER. No, I was not.

Mr. ARENS. Did you ever attend Communist Party meetings in Toledo, Ohio?

Miss LESSER. What is a Communist Party meeting in your definition?

Mr. ARENS. You know what a Communist Party meeting is.

Miss LESSER. No, I don't.

Mr. ARENS. You told about these degrees you have.

Miss LESSER. I have told all about the degrees. I have also told you I am an attorney and I have been in plenty of things and hearings and court actions where people like Barbara Hartle have defined Communist Party meetings.

Mr. ARENS. The Supreme Court of the United States has said what the Communist Party is. It is a conspiratorial apparatus designed to overthrow this Government by force and violence.

Miss LESSER. I ask that you define to me what a Communist Party meeting is.

Mr. ARENS. I just did. I alluded to a decision of the Supreme Court of the United States.

Miss LESSER. Go ahead, I am sorry.

Mr. ARENS. I would like to display to you a photostatic copy of an article in the Communist Daily Worker, January 1953: "150 Women Sign a Plea for Amnesty for 11."

These are the 11 Communist traitors in New York City who were convicted under the Smith Act for conspiring to overthrow the Government of the United States by force and violence. Among these 150 women who are interceding on behalf of these traitors is, according to this article, Sarah H. Lesser. Kindly look at this document and see if you are accurately described in that enterprise.

(Document marked "Exhibit No. 639," see appendix, p. 8232.)

(The witness examines document and confers with her counsel.)

Miss LESSER. Yes, I signed that. I am proud of it. I feel that I am also in the category with Mrs. Eleanor Roosevelt in feeling that the Smith Act should be repealed.

Mr. ARENS. Are you connected with the Washington State Committee for Protection of Foreign Born?

(The witness confers with her counsel.)

Miss LESSER. Only in an attorney-client relationship.

Mr. ARENS. Do you represent them professionally?

Miss LESSER. When and where—Will you please be more specific?

Mr. ARENS. You would know if you represent them.

Miss LESSER. I have. Yes.

Mr. ARENS. And do you represent the committee or do you represent aliens who are up for deportation for whom the committee has interceded?

(The witness confers with her counsel.)

MISS LESSER. I don't understand that question. Will you please simplify it?

MR. ARENS. I am really surprised.

MISS LESSER. You are?

MR. ARENS. Do you represent the committee in its litigation, or do you represent aliens in their litigation with the Government?

(The witness confers with her counsel.)

MR. ARENS. And are you paid by the Washington State Committee for Protection of Foreign Born? That is very clear.

MISS LESSER. That is not a clear question. That is 3 questions in 1.

MR. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

MR. SYKES. It is three questions.

MR. DOYLE. Try, Witness. It would seem to me it is not at all confusing. Try. It is rather a simple question for a trained lawyer like you.

MISS LESSER. No, it isn't. There are too many questions involved.

(The witness confers with her counsel.)

MISS LESSER. I have represented many aliens, and I have represented the Committee for Protection of Foreign Born.

MR. ARENS. What is the nature of the representation of the Washington Committee for Protection of Foreign Born? That is all I am trying to ask.

MISS LESSER. Mere legal representation.

MR. ARENS. In what kind of proceedings?

(The witness confers with her counsel.)

MISS LESSER. Judicial proceedings.

MR. ARENS. Before what agencies?

(The witness confers with her counsel.)

MISS LESSER. The Immigration Service.

MR. ARENS. Do you know Abner Green?

(The witness confers with her counsel.)

MISS LESSER. Yes, I have met him.

MR. ARENS. Do you and Abner collaborate on certain matters?

MISS LESSER. No, he is not an attorney.

MR. ARENS. I know he is not an attorney. Did you and Abner both participate in a dinner meeting in Washington Hall in 1954? Do you recall?

(The witness confers with her counsel.)

MR. ARENS. According to the account we have of the meeting, Abner Green talked there and Sarah Lesser talked there.

(The witness confers with her counsel.)

MISS LESSER. Well, it would help me recollect if you would identify what you are reading from.

MR. ARENS. It is an account of the meeting. We have sources of information that give us that account.

MISS LESSER. I know that.

MR. ARENS. Of certain meetings. An account of a meeting held in Washington Hall in 1954; it is an account of the meeting and it depicts you as one of the principal orators there.

Do you recall that it was sponsored by the Washington State Committee for the Protection of Foreign Born? And Abner Green, a hard-core international Communist agent, was a guest of honor?

(The witness confers with her counsel.)

MISS LESSER. What is the question, please?

MR. ARENS. Do you recall addressing the gathering and orating at that time?

(The witness confers with her counsel.)

MISS LESSER. What is the date on that?

MR. ARENS. March 6, 1954.

MISS LESSER. I don't particularly recall that date. I do know that when I have—that that was approximately the date when I went to San Francisco and won in the circuit court of appeals in a case clarifying the ruling in the Walter-McCarran Act as to what entry meant, and won the Alcantra case. And when I returned I did make—it was not oratory, it was a report of what occurred down there.

MR. ARENS. Do you know Roderich Holmgren, H-o-l-m-g-r-e-n?

MISS LESSER. Yes, I do.

MR. ARENS. And his wife?

MISS LESSER. Yes, I do.

MR. ARENS. Did you live with them in Chicago for a little while?

MISS LESSER. I did. They were very good friends of mine and when I got out of the Army and had no place to stay and could find no place to stay, I stayed with them for a short while until I found a place to live, yes.

MR. ARENS. Did you know they were members of the Communist conspiracy?

(The witness confers with her counsel.)

MISS LESSER. On legal advice, I am not answering that question because it is a leading question.

MR. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

MR. DOYLE. I direct you to answer that question.

(The witness confers with her counsel.)

MISS LESSER. Are you stating that these two people were members of the Communist Party, and that I knew that fact?

MR. ARENS. I am asking you, yes.

MISS LESSER. That isn't what you said before. No.

MR. ARENS. You did not know they were Communists?

MISS LESSER. I did not know they were members of the Communist Party. No.

MR. SCHERER. Wait a minute.

MISS LESSER. I am not stating that they are members, either. Because I do not know that fact.

MR. SCHERER. Do you know whether they are Communists? Did you know whether they were Communists?

MISS LESSER. Do you mean members of the Communist Party?

MR. SCHERER. I didn't say that.

MISS LESSER. No, I have no knowledge in the short time I stayed with them. No, I didn't have no such knowledge.

MR. SCHERER. Didn't you attend Communist Party meetings with them?

MISS LESSER. No. I did not.

MR. SCHERER. You are sure?

MISS LESSER. Yes.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any other questions?

Mr. SCHERER. Yes. You were one of counsel, were you not, who filed this suit in Federal court yesterday on behalf of Caughlan, Kinney, Hatten, Corr, and Paulson against this subcommittee?

Miss LESSER. I was not one of original counsel, no.

Mr. SCHERER. What do you mean, not of original counsel?

Miss LESSER. I was added later.

Mr. SCHERER. Then you were one of counsel?

Miss LESSER. In court this morning, yes.

Mr. SCHERER. Now do you know that all of those people, with perhaps the exception of John W. Caughlan, are members of the Communist Party?

(The witness confers with her counsel.)

Miss LESSER. I would have no way of knowing that, sir.

Mr. SCHERER. You have never been in a Communist Party meeting with any one of the four?

Miss LESSER. No, sir.

Mr. SCHERER. All right. That is all.

Mr. DOYLE. The witness is excused. And, Counsel, thank you very much.

Mr. DOYLE. The committee will be in recess for 5 minutes.

(Whereupon a short recess was taken. Committee members present: Representatives Doyle and Scherer.)

(The committee was reconvened at the expiration of the recess. Committee members present: Representatives Doyle and Scherer.)

Mr. DOYLE. The committee will please reconvene. And may the record please show that a legal quorum is present of the subcommittee. Congressman Scherer, of Ohio, and Congressman Doyle, of Los Angeles, Calif. are both present, therefore, a legal quorum of the subcommittee of three is here and we will proceed.

For the benefit of counsel and witnesses, I am pleased to say that we are making good progress, and unless I make an announcement to the contrary, then, the committee will, when we adjourn this afternoon, stand in recess until 9 a. m. tomorrow morning.

And may I thank the people who are guests in the hearing room, because you are wonderfully quiet and cooperative, and the committee appreciates it very much. May I say just while we are waiting for the witness that you are the most cooperative group that we have met on the Pacific coast. That goes for the witnesses and lawyers, also. We appreciate it very much.

Your first witness, Mr. Arens.

Mr. SCHERER. Mr. Chairman, before we proceed I move that the testimony of the last witness, Sarah Lesser, be referred to the Department of Justice to determine whether or not perjury has been committed before this committee.

Mr. DOYLE. All those in favor say "aye."

Mr. SCHERER. "Aye."

Mr. DOYLE. "Aye."

It is so ordered that the testimony of Miss Lesser, the last witness before the subcommittee, will be referred to the Department of Justice by the committee.

Mr. ARENS. Raymond Glover, kindly come forward.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GLOVER. I do.

Mr. DOYLE. Thank you. Will you take the chair. Please be seated.

**TESTIMONY OF RAY (RAYMOND) GLOVER, ACCOMPANIED BY
COUNSEL, JAY G. SYKES**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GLOVER. My name is Ray Glover. I live in Enumclaw, Wash.

Mr. ARENS. And kindly complete the answer.

(The witness confers with his counsel.)

Mr. GLOVER. I am an independent logger.

Mr. ARENS. I am having difficulty hearing you. Would you say that again, please?

Mr. GLOVER. I am an independent logger.

Mr. ARENS. An independent logger?

Mr. GLOVER. That is right.

Mr. ARENS. You are appearing today, Mr. Glover, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. GLOVER. I am.

Mr. ARENS. And you are represented by counsel?

Mr. GLOVER. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. SYKES. Jay Sykes.

Mr. ARENS. Mr. Glover, this morning Barbara Hartle took an oath and testified that while she was a member of the Communist Party she knew you as a Communist.

We want to give you an opportunity to deny that now while you are under oath if you would care to do so.

Was Mrs. Hartle lying or was she telling the truth when she said she knew you as a Communist?

(The witness confers with his counsel.)

Mr. GLOVER. I decline to answer that question and all further questions directed to me on the grounds that the scope and purpose of these hearings as stated by the committee is beyond the scope of the mandate of this committee, and violates, number one, the first amendment of the Constitution; and two, article I, section 8 of the Constitution.

Mr. SCHERER. Mr. Chairman, I ask you direct the witness to answer the question.

Mr. DOYLE. Witness, I direct that you answer the question, please.

Mr. GLOVER. I decline to answer—

(The witness confers with his counsel.)

Mr. GLOVER. I decline to answer on the grounds previously stated.

Mr. SCHERER. Mr. Chairman, may I inquire?

Witness, do I understand that you are not invoking the fifth amendment in refusing to answering the question of Counsel?

(The witness confers with his counsel.)

Mr. GLOVER. Yes, that is right. I am not invoking it.

Mr. SCHERER. You understand that when the chairman directs you to answer the question, it is because we do not accept your answer and feel that if you do not answer the question, then you are subjecting yourself to possible contempt proceedings? Do you understand that?

(The witness confers with his counsel.)

Mr. SCHERER. Go ahead, Counsel.

Mr. GLOVER. Yes; I believe so.

Mr. ARENS. Now, we display to you, Mr. Glover, two documents. The first is a document of the Northwest Committee for Protection of the Foreign Born, in which your name appears. The second is a call to the Northwest Conference to Fight Deportation, under the auspices of the Northwest Committee for Protection of Foreign Born, in which your name appears as sponsor, Ray Glover, secretary, International Woodworkers of America.

(See exhibits Nos. 617 and 618, appendix, pp. 8205-8209.)

Kindly look at these two documents and tell this committee whether or not you are accurately described.

(The witness confers with his counsel.)

Mr. GLOVER. I decline to answer on the grounds previously given.

Mr. ARENS. What was your connection with an IWA local?

Mr. GLOVER. I decline to answer on the grounds previously given.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you, Witness, to answer that question.

Mr. GLOVER. I respectfully decline to answer on the grounds previously given.

Mr. SCHERER. Now, so that the record is clear, do I understand, Witness, you are not invoking the fifth amendment as a basis for your declination to answer? Am I right?

(The witness confers with his counsel.)

Mr. GLOVER. You are right.

Mr. ARENS. Now we want to lay before you a copy of the Daily Worker of June 1949. "Men of labor and civic leaders throughout the Nation voice indignation." It is all about the indignation voiced on the trial and conviction of 11 Communist traitors down in New York City. Among those who are voicing their indignation, according to this Communist publication, is Ray Glover, identified here as a business agent of the Enumclaw IWA Local. Enumclaw, E-n-u-m-c-l-a-w.

Kindly look at that document and see if you are one of those who expressed your indignation. And if so, if you are accurately identified.

(See exhibit No. 632, appendix, p. 8226.)

(The witness confers with his counsel and examines document.)

Mr. GLOVER. My name appears there. But I refuse to answer the question on the grounds previously stated.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. Witness, I direct you to answer that last question.

Mr. GLOVER. I respectfully repeat that I refuse to answer on the grounds previously stated.

Mr. ARENS. No more questions of this witness, Mr. Chairman.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. Was your first question, Counsel, with reference to his present membership in the Communist Party?

Mr. ARENS. I do not remember.

Mr. SCHERER. Witness, I will ask it: Are you presently a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GLOVER. No.

Mr. SCHERER. Were you a member of the Communist Party last year?

Mr. GLOVER. I decline to answer that question on the grounds previously stated.

Mr. SCHERER. And you are not invoking the fifth amendment in declining to answer that question as to whether you were a member of the Communist Party last year? Is my assumption correct, Witness?

(The witness confers with his counsel.)

Mr. GLOVER. Yes.

Mr. SCHERER. Were you a member of the Communist Party yesterday?

(The witness confers with his counsel.)

Mr. GLOVER. I refuse to answer, decline to answer, on the grounds previously stated.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct the witness to answer the question.

Mr. GLOVER. I must still repeat that I decline to answer on the basis and grounds previously stated.

Mr. ARENS. Are you under Communist Party discipline this minute?

(The witness confers with his counsel.)

Mr. GLOVER. Of course not.

Mr. ARENS. Were you under Communist Party discipline after you were subpoenaed to appear before the Committee on Un-American Activities in this hearing?

(The witness confers with his counsel.)

Mr. GLOVER. Of course not.

Mr. ARENS. Were you under Communist Party discipline a month ago?

(The witness confers with his counsel.)

Mr. GLOVER. What do you mean?

Mr. ARENS. If you can deny the question twice you ought to know what I mean. Were you under Communist Party discipline 6 months ago?

(The witness confers with his counsel.)

Mr. GLOVER. I am under nobody's discipline but my own.

Mr. ARENS. Have you ever been under Communist Party discipline?

(The witness confers with his counsel.)

Mr. GLOVER. Not to my knowledge.

Mr. ARENS. Have you ever been a member of the Communist Party?

(The witness confers with his counsel.)

Mr. GLOVER. I must decline on the basis of the grounds previously stated.

Mr. ARENS. What distinction do you make between being a member of the Communist Party and being under Communist Party discipline?

(The witness confers with his counsel.)

Mr. GLOVER. I am not a lawyer, I don't make any distinction.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I wish to call the witness' and counsel's attention to this fact: Mr. Scherer did that which he often does, and we do often—make sure that the witness, if he does not plead the fifth amendment as part of his answers, understands he is not doing so and that it was the reason for Mr. Scherer asking you repeatedly, whether or not you included the fifth amendment as part of your answer. Now, as I understand the record, in answer to no question have you included the fifth amendment. You understand that, do you, Witness?

(The witness confers with his counsel.)

Mr. GLOVER. Yes.

Mr. DOYLE. That was your intention, to never raise that as a reason for not answering? Is that correct?

(The witness confers with his counsel.)

Mr. GLOVER. That is correct.

Mr. DOYLE. I beg pardon?

Mr. GLOVER. That is correct.

Mr. DOYLE. All right.

The witness is excused. And so is counsel. Thank you.

Mr. ARENS. Mr. Robert Cummings, please come forward.

Mr. DOYLE. Mr. Cummings, please raise your right hand. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CUMMINGS. I do.

Mr. DOYLE. Thank you. Will you occupy the witness chair.

TESTIMONY OF ROBERT CUMMINGS, ACCOMPANIED BY COUNSEL, JAY G. SYKES

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CUMMINGS. Mr. Chairman, could I ask that no pictures be taken.

Mr. DOYLE. Very well. Of course it will be so ordered.

Mr. CUMMINGS. Pardon me, would you state the question again?

Mr. ARENS. Yes, would you please identify yourself by name, residence and occupation?

Mr. CUMMINGS. My name is Robert Cummings.

Mr. ARENS. Would you keep your voice up. We are having some noise outside, which is distracting me.

Mr. CUMMINGS. My name is Robert Cummings. I live in Seattle and as to the third part of your question, I will refuse to answer that on the grounds that the question and this particular session of the committee are exceeding their scope and jurisdiction and therefore are in violation of the first amendment of the Constitution.

And under protection of the first amendment, I refuse to answer. And under the further protection of the fifth amendment.

Mr. SCHERER. Do you feel that to tell us the nature of your occupation might lead to a criminal prosecution of you?

(The witness confers with his counsel.)

Mr. CUMMINGS. I am informed that legally there is a possibility of any answer to that question being used against me.

(The witness confers with his counsel.)

Mr. CUMMINGS. Either the answer or in waiving the right as to future questions.

Mr. SCHERER. All right.

Mr. ARENS. Where are you employed?

Mr. CUMMINGS. Where?

Mr. ARENS. Yes.

Mr. CUMMINGS. Seattle.

Mr. ARENS. What type of work?

(The witness confers with his counsel.)

Mr. CUMMINGS. I refuse to answer on the same grounds as previously.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. The witness is instructed and ordered to answer that question.

Mr. CUMMINGS. Same answer, same reason.

Mr. SCHERER. Again we understand, witness, that you are not invoking the fifth amendment as a basis for your refusal to answer the question. Is that correct?

Mr. CUMMINGS. I am afraid you misunderstand.

Mr. SCHERER. Are you invoking it on this question?

Mr. CUMMINGS. I did invoke the fifth amendment.

Mr. ARENS. Now, Mr. Witness, Mrs. Barbara Hartle this morning took an oath to tell the truth. If she didn't tell the truth, she could be prosecuted for perjury. And she said while she was a member of the Communist Party she knew you as a Communist. Was she lying or was she telling the truth?

While you are under oath you tell us about it.

(The witness confers with his counsel.)

Mr. CUMMINGS. It is my understanding that from the tenor of your question there seems to be some sort of a challenge. I would like to include in my answer the observation that—

Mr. ARENS. Just stand up and say "No, she lied about me, I am not a Communist. I am not a member of a conspiratorial apparatus. I am a patriotic American." Do that while you are under oath and then we will get on. Was she lying or was she telling the truth?

(The witness confers with his counsel.)

Mr. CUMMINGS. What are you asking?

Mr. ARENS. Asking you whether or not Barbara Hartle lied or if she told the truth when she took an oath before the committee this morning and said she knew you as a Communist. You, Robert Cummings.

Mr. CUMMINGS. In view of the fact that even though the witness you are speaking of may have been under oath, her testimony was not subject to cross-examination and, as such, has no legal status further than hearsay testimony.

Mr. SCHERER. What?

Mr. CUMMINGS. Other than that—

Mr. SCHERER. That is an entirely—

Mr. CUMMINGS. Other than that—were I to answer, and were there reason for this witness or other witnesses to my observation to perjure

themselves, there seems to never be anything done about it. They are never prosecuted.

Mr. ARENS. You deny that under oath and someone will be prosecuted for perjury. You tell this committee——

Mr. CUMMINGS. In view of that fact, there seems little point in accepting such a challenge as you seem to issue. Therefore, I refuse to answer the question on the grounds previously stated.

Mr. SCHERER. Just a minute. Did I understand you to say that Barbara Hartle had perjured herself with relation to her testimony about you?

Mr. CUMMINGS. I refused to answer the question and stated the grounds and reasons.

Mr. ARENS. These exhibits we are going to display to you, we want you to tell us whether or not they are forgeries or whether or not they are true. These exhibits can't be perjurers. Look at these exhibits now. We have, one, the Northwest Committee for Protection of Foreign Born, with Robert Cummings listed here as one of the leaders and we have another one, a Northwest Conference to Fight Deportation, under the auspices of the Northwest Committee for Protection of Foreign Born, in which Robert Cummings again is listed as one of the sponsors.

Look at those two documents and tell us whether or not you were accurately described.

(See exhibit Nos. 617 and 618, appendix, pp. 8205-8209.)

(The witness confers with his counsel.)

Mr. ARENS. Just tell us are those bona fide documents.

Mr. CUMMINGS. I have no means of knowing whether they are bona fide documents. I am not too sure exactly what they are. I see my name there. What was the question now?

Mr. ARENS. Are you accurately described, were you identified with that organization?

Mr. CUMMINGS. On this one it doesn't say anything about the organization as to myself. I don't know how I am described.

Mr. ARENS. Your name appears there, does it not, as a sponsor?

Mr. CUMMINGS. In relation to that organization, you said.

Mr. ARENS. Yes. Now tell us, are you accurately described as a sponsor of the Northwest Committee for Protection of Foreign Born?

Mr. CUMMINGS. Oh. I am sorry. The word sponsor was practically blacked out. I didn't see it.

Mr. ARENS. I am sure now that you——

Mr. CUMMINGS. Yes, I was one of the sponsors of the Northwest Committee for the Protection of Foreign Born.

Mr. ARENS. Thank you. Would you look at the other documents where your name appears——

Mr. CUMMINGS. If it says sponsor and then that is accurate.

Mr. ARENS. Thank you very much. I wonder if you would help us on still another enterprise. It is an article from the Daily Worker. "Men of labor and civic leaders throughout the Nation voice indignation."

It appears that Judge Medina in New York City had a legal proceeding involving some Communists. A number of people are protesting that legal proceeding, including, according to this Communist Daily Worker, Robert Cummings, secretary of the CIO International Fishermen and Allied Workers, Local 3.

(See exhibit No. 632, appendix, p. 8226.)

He was quoted here as saying:

This is turning American jurisprudence into American judasprudence.

Kindly look at that document that is being displayed to you now, and see if you recall joining that enterprise and if you are accurately quoted.

(The witness examines document and confers with his counsel.)

Mr. CUMMINGS. I am not sure that that is an exact quote. But I think it is quite likely that it is something like that, yes.

Mr. ARENS. Thank you, sir.

Who solicited you to be a sponsor of the Northwest Committee for Protection of the Foreign Born?

Mr. CUMMINGS. Oh, that was so long ago I don't remember who solicited me.

Mr. ARENS. Can you tell us the name of the officers?

(The witness confers with his counsel.)

Mr. CUMMINGS. Well, I might possibly read the list that you just gave me. Other than that——

Mr. ARENS. Do you have an independent recollection? It is useless to sit and read a list that would be supplied to you.

Mr. CUMMINGS. What date was this you are talking about?

Mr. ARENS. Do you know Marion Kinney?

(The witness confers with his counsel.)

Mr. ARENS. She is listed here as Chairman of the Northwest Committee for Protection of the Foreign Born.

Do you know her?

Mr. CUMMINGS. I know Marion Kinney, yes.

Mr. ARENS. I beg your pardon?

Mr. CUMMINGS. Yes.

Mr. ARENS. How long have you known her?

Mr. CUMMINGS. A number of years. I couldn't say just exactly.

Mr. ARENS. What has been the nature of your acquaintanceship with her?

Mr. CUMMINGS. Through the American Committee for the Protection of Foreign Born?

Mr. ARENS. I beg your pardon?

Mr. CUMMINGS. As a worker or an officer in the American Committee for the Protection of Foreign Born, or the Washington Committee for the Protection of Foreign Born.

Mr. ARENS. Did you know her as an officer of the Washington Committee for Protection of Foreign Born, too?

Mr. CUMMINGS. Yes, I did.

Mr. ARENS. Did you know her in any other capacity?

Mr. CUMMINGS. No, I never did; not to my recollection.

Mr. ARENS. Did you ever serve in the Communist Party with her?

(The witness confers with his counsel.)

Mr. CUMMINGS. I am going to decline to answer that question on the grounds that I previously stated in my previous declination.

Mr. ARENS. Now I have here a document I want to display to you. It is the Communist Daily Worker of 1951: "438 at Washington State peace parley." It is about a conference held under the auspices of

the Washington Peace Crusade. In the course of this article the following appears:

More than 80 workers took part in a labor and peace panel chaired by Secretary Robert Cummings of Seattle Fishermen's Local 3—3.

Do you recall that conference and do you recall your chairing that panel under the auspices of the Washington Peace Crusade?

(Document marked "Exhibit No. 640," see appendix, pp. 8232-8233.)

(The witness confers with his counsel and examines document.)

Mr. ARENS. That was in 1951. That is while the Korean war was on.

(The witness confers with his counsel and examines document.)

Mr. ARENS. Do you recall that, please, Mr. Cummings?

Mr. CUMMINGS. In order to avoid waiver of any rights on future questions, I am going to refuse to answer that question on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. DOYLE. Congressman Scherer, any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. I have no questions. You are excused, Witness.

Mr. ARENS. Mr. Norman Haaland, H-a-a-l-a-n-d.

(No response.)

Mr. ARENS. Norman Haaland. Is he here, please?

Mr. HAALAND. I am here, but I am without counsel and I would like if my hearing could be postponed until tomorrow that I may get counsel at that time.

Mr. DOYLE. Yes, indeed. We are always glad to do so. I expect you to come with counsel tomorrow morning at 9 o'clock.

Mr. HAALAND. That is right.

Mr. DOYLE. You will be here with counsel.

Mr. ARENS. Mr. Victor Todd, kindly come forward.

Mr. Pozzi. This is the witness that can't hear.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Todd. Yes, I do.

TESTIMONY OF VICTOR TODD, ACCOMPANIED BY COUNSEL, FRANK H. POZZI AND BERKELEY LENT

Mr. Todd. I request the cameras be turned the other way, sir.

Mr. Pozzi. He requests the cameras be turned the other way.

Mr. DOYLE. All right.

Mr. LENT. Mr. Chairman, this is the witness I spoke to you about this morning who is very hard of hearing. He will have to try to read the lips of counsel.

Mr. ARENS. Is he that hard of hearing? If I raise my voice and get close to this microphone would he be able to hear me?

Mr. LENT. He can't hear you unless he is watching you.

Mr. ARENS. He can't hear me at all unless he is watching me?

Mr. Pozzi. That is right. He has had no formal lip-reading training, either. So it is just what he has taught himself.

Mr. ARENS. Then I will be as brief as possible.

Mr. DOYLE. Counsel, may the record show that if the witness' counsel, either of them or both of them, have any indication from the witness that he does not understand the question, will you please make sure that the question is repeated until he does understand?

Mr. Pozzi. Thank you.

Mr. ARENS. Now, Counsel, may I have your attention a minute. I will lead the witness on the preliminaries to avoid unnecessary conversation.

You are Victor Todd?

Mr. TODD. Yes, sir.

Mr. ARENS. And you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. TODD. Yes, that is correct.

Mr. ARENS. And you are represented by counsel?

Mr. TODD. Yes, I am.

Mr. ARENS. Counsel, will you kindly identify yourselves.

Mr. Pozzi. F. H. Pozzi and B. Lent, Portland, Oreg.

Mr. ARENS. Now our investigations, Mr. Todd, disclose that you are identified with the Committee for Protection of Oregon's Foreign Born. Is that correct?

(The witness confers with his counsel.)

Mr. Pozzi. Can you hear him?

Mr. TODD. I respectfully decline to answer that question based upon the rights, privileges, and immunities accorded to me by the 1st, 4th, 5th, 9th, and 10th amendments to the Constitution of the United States.

Mr. ARENS. Our investigation further discloses that you were a leader of the Communist Party of Oregon, and that in the course of your leadership of—

Mr. SCHERER. He can't see your lips.

Mr. ARENS. Our investigation discloses that you were a leader of the Communist Party of Oregon. Is that correct?

(The witness confers with his counsel.)

Mr. TODD. Again I respectfully decline to answer that question based upon the rights, privileges, and immunities afforded to me by the 1st, 4th, 5th, 9th, and 10th amendments to the Constitution of the United States.

Mr. ARENS. Just for the purpose of further identification, has your impediment in hearing existed over a number of years, or is it a recent affliction?

Mr. Pozzi. Did you hear him?

(The witness confers with his counsel.)

Mr. TODD. Perhaps I could say 10 or more years. At least 10 years.

Mr. ARENS. Are you now a Communist?

(The witness confers with his counsel.)

Mr. TODD. Again I respectfully decline to answer that question based upon the rights, privileges, and immunities afforded to me by the 1st, 4th, 5th, 9th, and 10th amendments to the Constitution of the United States.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. Thank you, Witness. No questions. You are excused. Thank you, Counsel.

Mr. ARENS. Mrs. Valerie Lee Taylor.

Mr. DOYLE. Mrs. Taylor, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TAYLOR. I do.

Mr. DOYLE. Thank you. Will you take the witness chair?

**TESTIMONY OF MRS. VALERIE (LEE) TAYLOR, ACCOMPANIED BY
COUNSEL, FRANK H. POZZI AND BERKELEY LENT**

Mr. ARENS. Kindly identify yourself, by name, residence, and occupation.

Mrs. TAYLOR. May I request no pictures, please.

Mr. DOYLE. Very well. I am sure the press will cooperate as they have always up here.

Mrs. TAYLOR. My name is Valerie Taylor and I live at North Bend, Oreg. And I am a housewife.

Mr. ARENS. Mrs. Taylor, are you a Communist?

Mrs. TAYLOR. Mr. Chairman, I respectfully decline to answer that question based upon the rights, privileges and immunities afforded to me by the 1st, 4th, 5th, 9th, and 10th amendments to the Constitution of the United States.

Mr. ARENS. Mrs. Taylor, Mrs. Hartle, Barbara Hartle, this morning—in her previous testimony. I beg your pardon. It was not in this morning's testimony—in her previous testimony before the Committee on Un-American Activities, identified you as a Communist.

Was she lying or was she telling the truth?

(The witness confers with her counsel.)

Mrs. TAYLOR. I would like to decline that question on the grounds previously stated.

Mr. ARENS. Now we want to display to you two exhibits of the Committee for Protection of Oregon's Foreign Born, in which you are identified as a sponsor of that organization.

These exhibits are copies of letterheads and other documents issued by that committee calling for the repeal of the Walter-McCarran law, calling for people to act before it is too late on certain cases of deportation of Communists. Kindly look at those documents and tell this committee while you are under oath whether or not you are identified in the capacity specified in those documents, with that organization.

(See exhibit Nos. 635 and 636, appendix, pp. 8229, 8230.)

(The witness confers with her counsel and examines document.)

Mrs. TAYLOR. I decline to answer the question on the previous grounds stated.

Mr. ARENS. Now we display to you a copy of the Communist Daily People's World, of Friday, April 17, 1953, with reference to the support of a movement to get executive clemency for the Rosenbergs. According to this article, this drive is coupled with the drive to repeal the McCarran-Walter Act, and other activities in which Mrs. Valerie Taylor is president.

Kindly look at this article and tell this committee while you are under oath whether you are accurately described in that enterprise.

(Document marked "Exhibit No. 641," see appendix, pp. 8233, 8234.)

(The witness confers with her counsel and examines document.)

Mrs. TAYLOR. I decline to answer on the grounds as previously stated.

Mr. ARENS. Now we have still another document we would like to display to you, an original document from the Washington Evening Star, in which a number of people are protesting to the then Attorney General, J. Howard McGrath, in 1951, about the jailing of certain people, including Abner Green, executive secretary of the Committee for Protection of Foreign Born. This document bears the signature of a number of people, including that Mrs. Valerie Taylor, president, ILWU, Federated Auxiliaries of Oregon.

Kindly look at that document and tell the committee whether or not you participated in that enterprise and whether or not you are accurately described.

(The witness confers with her counsel and examines document.)

Mrs. TAYLOR. I decline on the same grounds.

Mr. ARENS. Now we lay before you still another document, the Daily Worker of November 1953, in which an article appears entitled "134 notables hit move to ban Marxist school." It is with reference to the activities of the Government through the Subversive Activities Control Board under the Internal Security Act to investigate the Jefferson School of Social Science, a Communist controlled enterprise in New York City.

This article asserts that a number of people protested this, including Valerie Taylor. Mrs. Valerie Taylor. Kindly look at that document and tell this committee whether or not you are appropriately and accurately described there.

(Document marked "Exhibit No. 642," see appendix, pp. 8234, 8235.)

(The witness confers with her counsel.)

Mrs. TAYLOR. I decline to answer on the same grounds.

Mr. ARENS. Now we lay before you still another document from the Communist Daily Worker of January 1953: "150 women sign a plea for amnesty for the 11." Those are the 11 Communist traitors in New York City. It includes, according to this article in the Daily Worker, Valerie Lee Taylor. Kindly look at that document as it is displayed to you and tell this committee while you are under oath whether you are one of those persons who interceded on behalf of the 11 Communist traitors in New York City.

(See exhibit No. 639, appendix, p. 8232.)

(The witness confers with her counsel and examines document.)

Mrs. TAYLOR. I decline to answer on the same grounds.

Mr. ARENS. Do you know Homer L. Owen?

Mrs. TAYLOR. I decline to answer on the same grounds previously stated.

Mr. ARENS. Homer L. Owen back in 1954 took an oath before this committee and testified that while he was a member of the Communist conspiracy he knew you as a Communist. Was he lying or was he telling the truth?

(The witness confers with her counsel.)

Mrs. TAYLOR. I decline to answer on the grounds as previously stated.

Mr. ARENS. Are you this moment a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. TAYLOR. I decline to answer that question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer.

Mr. SCHERER. I have no questions.

Mr. ARENS. The next witness, if you please—

Mr. DOYLE. May I just take a minute, Mrs. Taylor. I would like to call attention in the record to the fact that on December 4th I wired the Department of Justice in Washington and asked them to tell me how many cases had been prosecuted, finally, under the Smith Act, since 1953. And I just want to read a portion of this answer which I received by wire.

Hon. CLYDE DOYLE.

Subcommittee, House Un-American Activities Committee:

Following statistics on Internal Security prosecutions covering period 1953 to date, furnished pursuant to your telegraphic request:

I want the record to show clearly, Mr. Reporter, the answer.

Advocating overthrow of United States Government in violation of Smith Act, 72 convictions, 10 acquittals, 10 cases pending involving 30 defendants. Seditious conspiracy 27 convictions, one acquittal.

That is the element of concern that we have as a committee to inform Congress about, the extent to which the Communists in this area, or the Communist Party, are undertaking to defeat the very internal security legislation that makes it possible to succeed in convicting these persons who do advocate overthrow of the United States Government in violation of the Internal Security Regulations.

Mrs. Taylor, I don't know whether you are a mother of any children or not. I am not going to ask you. It is not pertinent to this examination, but may I just observe as a parent I do hope that there are no children in your home, or any children under your control or influence that are being raised to be future Communist conspirators and subversive persons in our country.

I just hope that that is not occurring. I am not inferring anything. I am just talking plainly to you as an American Congressman. As a leader in your community.

The witness is excused and thank you, Counsel.

Mr. Pozzi. Thank you.

Mr. ARENS. Mr. Vincent Howard, kindly come forward.

Mr. SCHERER. Before we call the next witness, Mr. Chairman, has Victor Todd left the room?

Mr. LENT. He is still here.

Mr. SCHERER. I would like to ask him some questions.

Mr. Pozzi. Pardon me.

Mr. SCHERER. That is all right. Go ahead with this next witness.

Mr. ARENS. Mr. Vincent Howard.

Mr. HOWARD. I am here without counsel. I will have counsel in the morning at 9 o'clock for sure.

Mr. DOYLE. Thank you. Then you will return without fail, Mr. Howard, at 9 o'clock with counsel?

Mr. HOWARD. Yes.

Mr. DOYLE. Thank you. You are excused until 9 o'clock tomorrow morning.

Mr. ARENS. Clayton VanLydegraf.

Mr. VANLYDEGRAF. Mr. Chairman, I do not see my counsel at present.

Mr. ARENS. Do you know his name?

Mr. VANLYDEGRAF. Here he is. He is here.

Mr. ARENS. Please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VANLYDEGRAF. I do.

**TESTIMONY OF CLAYTON VANLYDEGRAF, ACCOMPANIED BY
COUNSEL, JOHN M. RUPP**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. VANLYDEGRAF. My name is Clayton VanLydegraf. I live in Bellingham, Wash.

Mr. ARENS. It is difficult to hear you. Would you say that again, please, sir?

Mr. VANLYDEGRAF. My name is Clayton VanLydegraf. I live in Bellingham, Wash.

Mr. ARENS. And we didn't get your occupation.

Mr. VANLYDEGRAF. I did not give my occupation.

Mr. ARENS. Give it, please.

Mr. VANLYDEGRAF. I decline to give my occupation on the grounds of my constitutional rights under the 1st amendment, 4th and 5th amendments, the 9th and 10th amendments, and also my rights under the enabling act in the constitution of the State of Washington.

Mr. ARENS. Are you engaged in some criminal activity in your occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. How long have you been engaged in your present occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Where are you engaged in your present occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. In what State are you engaged in your present occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to which State he is engaged in his occupation.

Mr. DOYLE. Yes. Of course. I direct you, Witness, to answer that question. It is a reasonable question. We believe it a pertinent and appropriate question to ask you.

Mr. VANLYDEGRAF. On advice of counsel, I will answer this question: in the State of Washington.

Mr. ARENS. Now, in what city are you engaged in your occupation? (The witness confers with his counsel.)

Mr. VANLYDEGRAF. I decline to answer that on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you, Witness, to answer the question.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. How long have you been engaged in your present occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer how long he was engaged in his present occupation.

Mr. DOYLE. I order and direct you to answer that last question.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. What was your occupation immediately preceding your present occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. And what was your occupation immediately preceding that occupation?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you been engaged in any occupation during your adult life, vocation, livelihood, that you can tell us about without giving information that could be used against you in a criminal proceeding?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

Mr. DOYLE. Yes, Witness, I order and direct you to answer that question.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Do you know a lady by the name of Barbara Hartle?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. This lady, Barbara Hartle, this morning took an oath and said she knew you as a Communist. In fact, she said she knew you as a person who was in the Communist underground conspiratorial apparatus. Was she lying or was she telling the truth?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. We would like to display to you a document entitled: "Coalition for Freedom and Democracy. A Report of the Washington State Committee of the Communist Party, November 1955."

(See exhibit No. 614, appendix, pp. 8186-8203.)

Were you part of this coalition for freedom and democracy?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. You certainly wouldn't be ashamed of being in a coalition for freedom and democracy, would you?

Mr. VANLYDEGRAF. I decline to——

Mr. ARENS. Unless it was a false freedom and false democracy under the auspices of a conspiratorial apparatus?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Look at this document, Coalition for Freedom and Democracy, a Report of the Washington State Committee of the

Communist Party for November 1955, in which I see set forth here the program of the Communist Party of this State, to subvert and undermine the Smith Act, the Internal Security Act, the Immigration and Nationality Act, the Communist Control Act, and other anti-Communist legislation. Look at that document and first of all tell us whether or not you have ever seen that document before.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. I put it to you as a fact, sir, that you were head of the Communist Party here when that document was prepared and circulated in secret among the comrades.

Deny it while you are under oath, would you, please, if it isn't true?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Kindly tell this committee, while you are under oath, sir, the relationship between the Oregon State Committee for Protection of Foreign Born and the Communist conspiracy?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Kindly tell this committee the relationship between the Communist conspiratorial apparatus, and the Washington State Committee for Protection of Foreign Born.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. We want to display to you certain documents.

In this, the Communist Daily Worker of May 26, 1938, there is an article: "Oregon Delegates Hail Victory Over Martin." This was before the passage of the Smith Act.

There are photographs here of three people. "Three from the Coast." Delegates to the national Communist convention. Curiously enough, there is a photograph that looks remarkably like your own. Indeed, underneath this photograph appears the name Clayton VanLydegraf.

The article proceeds as follows:

Back on the Oregon Trail from the woods and the ships and the ranches of the Pacific Northwest seven Communist Party delegates rolled in for the 10th national convention yesterday.

They tell about a number of people who have come in from the trails out here to this Communist Party convention, including one Clayton VanLydegraf.

Look at that article and photograph and tell this committee if you are accurately and truthfully described there as one of the comrades in this conspiratorial apparatus.

(The witness examines document.)

(Document marked "Exhibit No. 643," see appendix, pp. 8236, 8237.)

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. DOYLE. Was that in 1938, Mr. Arens?

Mr. ARENS. Yes, sir.

Mr. DOYLE. That is a long time to be in a conspiracy.

Mr. ARENS. We have still another publication in which a certain man informs on himself. An application filed with the secretary of state of Washington to get the Communist Party candidates on the ballot here, in July 9, 1946.

(Document marked "Exhibit No. 644," see appendix, pp. 8238-8242.)

It bears the signature of a number of people. Curiously enough we see the name Clayton Van Lydegraf, 1316 West Kenyon Street, Seattle, Wash. And his occupation in 1946 was Communist Party

official, which I am sure as you know, in Communist Party lingo, means a Communist Party functionary.

Kindly look at that document and see if that refreshes your recollection with reference to your vocation in 1946.

(The witness examines document.)

Mr. VANLYDEGRAF. I decline to answer on the same grounds, and with particular reference to article 4 of the Enabling Act establishing—creating—the provisions for the State of Washington into the Union, adopted by Congress in 1889.

Mr. ARENS. Now I apologize to counsel. You are represented by counsel today?

Mr. VANLYDEGRAF. I am.

Mr. ARENS. Counsel, I am sorry I didn't recognize you sooner. Would you kindly identify yourself?

Mr. RUPP. Certainly, Mr. Arens. Again, I am John Rupp, president of the Seattle Bar Association, appearing by appointment as I think I stated at the outset of the hearing.

Mr. SCHERER. Again I think we should say the committee appreciates Mr. Rupp and the other members of the Seattle bar for serving in this capacity and doing it so well and so ably.

Mr. DOYLE. We certainly do.

Mr. ARENS. Where were you born, Mr. VanLydegraf?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I was born in Salem, Oreg.

Mr. ARENS. And a word about your education.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. Yes, I direct you, Witness, to answer that question. How could you possibly be prosecuted for telling us what your schooling has been?

Mr. ARENS. We are not asking about your professorial activities. We want to ask about your own training.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. Upon advice of counsel, I attended grade school in Wisconsin and in Oregon, in Albany and in Eugene.

Mr. ARENS. And did you attend high school?

Mr. VANLYDEGRAF. Yes.

Mr. ARENS. And where was that?

Mr. VANLYDEGRAF. In Eugene, Oreg.

Mr. ARENS. And did you graduate from high school?

Mr. VANLYDEGRAF. I did.

Mr. ARENS. And when was that?

Mr. VANLYDEGRAF. I think the year was 1932.

Mr. ARENS. And did you pursue your education further?

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds as before.

Mr. ARENS. Did you attend college?

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds as before.

Mr. ARENS. Have you ever traveled outside the United States?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds as before.

Mr. ARENS. What was your first job after you completed your formal education?

Mr. VANLYDEGRAF. I decline to answer that question on the same ground as before.

Mr. ARENS. I want you to help us on this. We only have high school education thus far recorded. It is our information that you have been engaged in a professorial work yourself as a teacher and instructor. Generally that type of work is reserved for those who have had higher education. Can you tell us about some of your professorial activities?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. You were a teacher at a Communist leaders' school, were you not, here in Seattle?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Do you know Eugene Dennett?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Eugene Dennett said he knew you as a functionary in Seattle. That means a full-time member of the conspiracy in Seattle, of the Communist Party. Was Dennett lying or was he telling the truth?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Mrs. Elizabeth Boggs Cohen, who, herself was a former functionary of the Communist Party in Seattle, identified you as a member of the conspiratorial apparatus. Was she lying or was she telling the truth?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Do you know Harold W. Sunoo?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Mr. Sunoo told this committee while he was under oath about your teaching Communist strategy and Communist tactics of the underground apparatus here in Washington. Was Sunoo telling the truth?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you ever transmitted to a person, not authorized to receive the same, security or restricted information?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. In other words, have you ever engaged in espionage?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you ever taught sabotage?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you ever been trained in the Lenin School in Moscow?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Now, Mr. Karley Larsen, former member of the Communist conspiratorial apparatus who broke away, identified you with reference to some of your conspiratorial activities before the committee while he, Mr. Larsen, was under oath.

Was he lying or was he telling the truth?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Are you this minute a member of the Communist conspiracy?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. What has been your connection with the Huks in the Philippines?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. It has been the information of this committee you were one of the conspirators over there that led the Huks in the bloody uprising in which innocent blood was flowing like water. Can you deny it while you are under oath?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I deny it on the same grounds.

Mr. ARENS. You say you deny it?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Do you deny that you have been connected with the Huk uprising in the Philippines?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you been taught the art of garroting?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. I put it to you as a fact, sir, and ask you while you are under oath to affirm or deny the fact that you are an expert in the Communist underground conspiratorial apparatus and in garroting?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you ever taken an oath of allegiance to support and defend the flag of the United States of America?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Have you ever——

Mr. DOYLE. Counsel, I am going to instruct this witness to answer that question. I don't see how answering whether or not he took an oath to support the Stars and Stripes can tend to incriminate him.

Mr. SCHERER. I don't see how it could.

Mr. DOYLE. I instruct you to answer that question. What are you ashamed of? How in God's name could you possibly be incriminated if you did take the oath?

Mr. SCHERER. Because he obviously violated it.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. Upon advice of counsel, having suggested that I answer this question, and I will answer it "Yes."

Mr. ARENS. And under what occasion did you take an oath to support and defend the flag of the United States?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. Counsel suggests that I ask you to clarify that question as to the content of the oath that you have in mind.

Mr. ARENS. When did you ever take a pledge to support the flag of the United States or Constitution of the United States?

Mr. VANLYDEGRAF. That is one question or two.

Mr. ARENS. Yes. If you have taken 2 oaths, tell us about 2 of them. If you have taken 3, tell us about 3 of them.

Mr. VANLYDEGRAF. I answered the question——

Mr. ARENS. You said Yes, you had.

Mr. VANLYDEGRAF. I answered the question, having in mind affirming the fact that I, upon at least one occasion took an oath to uphold the Constitution of the United States.

Mr. ARENS. Where and when?

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I took such oath as a part of my service in the United States Army.

Mr. ARENS. Where and when?

Mr. VANLYDEGRAF. I took the oath in Seattle, Wash.

Mr. ARENS. When?

Mr. VANLYDEGRAF. In 1942.

Mr. ARENS. And were you inducted in the Armed Forces?

Mr. VANLYDEGRAF. I was.

Mr. ARENS. And in what branch did you serve?

Mr. VANLYDEGRAF. In the Air Force.

Mr. ARENS. Where did you serve?

Mr. VANLYDEGRAF. I served in various locations.

(The witness confers with his counsel.)

Mr. SCHERER. Witness, were you a member of the Communist conspiracy when you were inducted into the Army and took that oath?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. In what areas of the world did you serve, when you were inducted in the Air Force?

Mr. VANLYDEGRAF. I decline to answer on the same ground.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. He knows he has to answer that question. If not he ought to be told.

Mr. DOYLE. How in the world your service under the flag of the United States could possibly incriminate you, I don't see. I instruct you and order you to answer that question.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. Upon advice of counsel I will answer the question. I served in Seattle, Wash. I served in San Antonio, Tex. I served in Waco, Tex. I served in Arkansas. I served in Michigan. While stationed in Michigan I served in all but—I served in the State of New York, I served in the State of Ohio. I served in the State of Minnesota. I served in the State of Wisconsin. I served in the State of Florida. I served in the State of North Carolina. I served in the State of South Carolina. I served in Washington, D. C. I served in Delaware. I served in California. I served in Arizona. I served in New Mexico. I served in Montana. I served in Kansas. I served in Missouri. I served in Kentucky. I served in Tennessee. I served in Alabama. I served in Mississippi. I served in Louisiana. I served in other States as well.

There may have been 3 or 4 in which I did not serve during this period.

Mr. ARENS. And in what capacity?

Mr. VANLYDEGRAF. I served as a private. I served as an aviation cadet and I served as a law attendant.

Mr. ARENS. And in what branch of the Air Force did you serve?

Mr. VANLYDEGRAF. I served in the Air Transport Command.

Mr. ARENS. And did you serve any place overseas?

Mr. VANLYDEGRAF. I did.

Mr. ARENS. And where did you serve overseas?

Mr. VANLYDEGRAF. I served in Morocco. I served in Egypt. I served in India. I served in China. And I served over Burma.

Mr. ARENS. Are those the only places you served?

Mr. VANLYDEGRAF. I also served in Labrador, in Greenland, in Iceland, and in Scotland.

Mr. ARENS. Is there any other place else you served?

Mr. VANLYDEGRAF. That is all that I remember.

Mr. ARENS. Did you ever serve in the Philippines?

Mr. VANLYDEGRAF. As I said, that is all that I remember.

Mr. ARENS. Have you ever been in the Philippines?

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds as before.

Mr. ARENS. During the course of your service in the United States Army, were you under discipline of a conspiratorial apparatus controlled by a foreign government?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. During your service in the United States Army, did you pass security or confidential information to any person not authorized by law to receive the same?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. DOYLE. Mr. Arens, I instruct this witness to answer. In view of the fact that he took the pledge of allegiance to the flag of the United States, according to his own testimony on at least two occasions, I think it is a very pertinent question.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Did you receive an honorable discharge?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness be ordered and directed to answer that question.

Mr. DOYLE. Of course. I direct the witness to answer that question.

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. What was the nature of your discharge?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Was your separation from the service voluntary or involuntary?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. When did you return to the United States from your last sojourn abroad with the Armed Forces of this Nation, whose flag you are sworn to protect?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. I respectfully suggest Mr. Chairman, that witness be ordered and directed to answer that question.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. Upon advice of counsel, I will answer that I returned in the spring of 1945.

Mr. ARENS. And from whence did you return to the United States?

Mr. VANLYDEGRAF. From India.

Mr. ARENS. And have you left continental United States since then?

Mr. VANLYDEGRAF. I decline to answer that question on the same grounds as before.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question.

Mr. VANLYDEGRAF. I decline on the same grounds as before.

Mr. ARENS. What is garroting? See if you can just help this committee trying to protect this same flag you swore to uphold. What is garroting?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. You know what garroting is, don't you?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Have you ever garroted anybody?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Have you received any military training in the use of firearms or in the use of deadly weapons other than the military training which you received by the Government of the United States?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. I put it to you as a fact, sir, that you have so received such training by the underground conspiratorial apparatus of the Communist Party. Deny it while you are under oath if it isn't true.

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. How many people have you killed in the course of your career in the Philippines?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. I put to you as a fact, sir, that you were trained in the underground school to garrot for the International Communist conspiracy. Now deny that while you are under oath.

(The witness confers with his counsel.)

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Now, tell us in view of your background which we have been covering, about some of your activities for the uplift of this community. Let us start with the Oregon Committee for Protection of Foreign Born. Tell us some of your activities in that regard to protect the foreign born.

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. You certainly are not ashamed as one who has sworn to defend this great Republic to state what you have done to protect the helpless foreign born, would you? Unless they happened to likewise be Communist conspirators?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Now tell us what you have done in this community and elsewhere to protect this Nation, this flag you are sworn to uphold, by

advocating proposed amendments to the Smith Act. Can you tell us about that?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Now tell us what you have done to defend this flag of yours and of mine—

Mr. SCHERER. Not of his.

Mr. ARENS. With respect to the Internal Security Act of this Nation.

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Have you changed your position with reference to Comrade Stalin since Khrushchev told the world he wasn't quite the man everyone thought he was? Have you changed your position with reference to Comrade Stalin?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as before.

Mr. ARENS. Who was right, Khrushchev or Stalin?

Mr. VANLYDEGRAF. I see no legislative purpose in such a question, and I continue to decline on the same grounds as before.

Mr. Chairman, may I have a glass of water? This is going along for some length of time.

Mr. ARENS. Certainly.

Mr. VANLYDEGRAF. And I am getting a little dry.

Mr. DOYLE. Under Public Law 601, Witness, a legislative purpose assigned to this committee is to investigate the extent to which the Communist conspiracy comes from a foreign country and infiltrates our constitutional Government, or tries to.

Mr. ARENS. What was the last question, Mr. Reporter?

(The record was read by the reporter as requested)

Mr. ARENS. What is your position with reference to the atrocities being committed against the innocent people of Hungary by the leaders of this conspiratorial apparatus?

Mr. VANLYDEGRAF. I decline to answer on the same grounds as previously given.

Mr. ARENS. Have you formed any committee for the protection of the Hungarians?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. Now tell us what you have done to protect the flag of this country by your activities in connection with congressional investigating committees. Have you had some enterprises on in respect to, say, the House Committee on Un-American Activities?

Mr. VANLYDEGRAF. I will refrain from commenting on the present occasion on the same grounds as before.

Mr. ARENS. Go right ahead, we want you to exercise the rights you have under that flag to free speech. Just do it now while you are under oath. Tell us what you have done with reference to the House Committee on Un-American Activities.

Mr. VANLYDEGRAF. I decline on the same grounds.

Mr. ARENS. Have you betrayed the flag that you were sworn to uphold?

Mr. VANLYDEGRAF. I decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. It is unbelievable.

Mr. DOYLE. I have no questions. The witness is excused, Mr. Arens.

(The witness confers with his counsel.)

Mr. DOYLE. And thank you, Counsel. I want the record to show—

Mr. VANLYDEGRAF. Can I sign a voucher and so on?

Mr. DOYLE. Beg your pardon?

Mr. VANLYDEGRAF. Do I sign a voucher?

Mr. DOYLE. Yes.

Mr. ARENS. Yes, and Mr. Chairman, I respectfully suggest that if, as and when this witness signs a voucher that that part of the voucher bearing his signature be incorporated in the body of this record for obvious reasons.

(Document marked "Exhibit No. 645a," see appendix, p. 8243.)

Mr. DOYLE. May I have the record show this, please:

Under date of April 2, 1956, I received a letter from Mr. J. Edgar Hoover, United States Department of Justice, Federal Bureau of Investigation, Washington, D. C.

Hon. CLYDE DOYLE,

House of Representatives,

Washington, D. C.

My DEAR CONGRESSMAN—

I read only part of it because it is quite a long one.

The American people owe a great debt of gratitude to the work over the years of congressional investigating committees. These committees, day after day, secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.

Congressional investigating committees, moreover, time after time have brought to the attention of the Nation conditions of fraud, dishonesty and subversion. This function of awakening public opinion is of the greatest importance in our democratic life—a service not within the province of regularly constituted investigative agencies. Congressional investigating committees, by the very nature of the broad powers vested in them, are enabled to search out the facts and make them available to the citizenry.

End of quote.

(Pursuant to subsequent order of the chairman of the subcommittee, a news clipping from the Seattle Times dealing with VanLydegraf's endorsement of his veteran's bonus check to the Communist Party and a news clipping from the Los Angeles Times (see pp. 7019 and 7050 of testimony) are included in the appendix.

(Documents marked "Exhibit Nos. 645b and 646," see appendix, pp. 8244–8247.)

Mr. DOYLE. I am pleased to state for the benefit of the witnesses and counsel that the committee will not meet tomorrow morning until 10 a. m. instead of 9.

So the witnesses and counsel need not be here until 10 a. m. tomorrow instead of 9. And there will be no session tonight.

The people under subpoena here are directed to report back at 10 a. m. tomorrow instead of 9.

Mr. LENT. Mr. Chairman, in that connection, Mr. Scherer asked after Witness Todd had been excused if he would wait a few minutes for a question or two.

Mr. SCHERER. I have changed my mind.

Mr. DOYLE. Thanks very much, Counsel.

Mr. LENT. Thank you very much.

(Whereupon, at 5:20 p. m. Thursday, the committee was recessed, to reconvene at 10 a. m. Friday, December 14, 1956.)

STATEMENT OF THE PRESIDENT OF THE SEATTLE BAR ASSOCIATION TO THE COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, DECEMBER 13, 1956

My name is John N. Rupp, and I appear here at this time in my capacity as president of the Seattle Bar Association.

There will be a number of Seattle attorneys appearing at this hearing in the capacity of counsel for certain of the witnesses, and I want the record to be clear as to the circumstances under which they will appear. Briefly put, they will be here because, as president of the Seattle Bar Association, I appointed them to represent the persons for whom they will act as counsel. I appointed them because I was informed that these several witnesses were without counsel and had no funds with which to employ counsel, and I was asked to appoint counsel for them. These attorneys will, of course, serve without pay and as a public duty, in conformity with the oath which each of them took when he became a member of the bar.

Since I would not ask any of my colleagues to undertake a task without undertaking a similar one myself, I shall appear later at this hearing representing at least one of the persons subpoenaed. The others whom I have appointed are: Charles Horowitz, the first vice president of the Seattle Bar Association; Chester C. Adair and David O. Hamlin, two of the trustees of the Association; David J. Williams, chairman of the association's civil rights committee; and Arthur Barnett, a member of that committee. If additional counsel are appointed, that fact will be made known to the committee.

In connection with this representation, and with the appearances of any lawyers before the committee, I should like to have the record contain a statement made over 2 years ago by the trustees of the association. It is published in 30 Washington Law Review 327-328, and it reads as follows:

"REPRESENTATION OF UNPOPULAR PERSONS OR CAUSES

"Be it resolved by the Board of Trustees of the Seattle Bar Association, on this 11th day of June, 1954, That certain of the fundamental principles underlying the representation by lawyers of unpopular persons and causes should be set forth at this time for the information and assistance of the public and the bar and that, therefore, the following statement should be issued and made public:

"Throughout the course of history lawyers have been frequently called upon to represent and defend persons and causes known to be unpopular. This has been particularly true in criminal matters, but it has been and is also true in other fields, including investigations and hearings conducted by the legislative department of government.

"The right of an accused person, or of a person called as a witness in a legislative investigation, to have legal counsel carries with it the right of the lawyer to represent and defend him in accordance with the ethical standards of the bar.

"Having undertaken any such representation, the lawyer has a duty to assert for his client every remedy or defense authorized by the law of the land. The duty of the lawyer is to be performed, however, only within the bounds of the law, and his office does not permit, nor demand of him, for any client, any violation of the law nor any manner of fraud nor improper conduct.

"The public and the bar should recognize the duties and responsibilities of the lawyer in such cases and should keep in mind that such representation, when performed in accordance with the applicable ethical standards, is lawful and proper and that it does not impute to the lawyer his client's views, character, deeds, or reputation."

There is an analogy to what we have done here. It is in the field of the criminal law. There, when a person is charged with crime and arraigned before the court, if he is without counsel and has no funds to enable him to employ an attorney, the court will appoint an attorney for him to serve without pay (or, in our State courts, for a small fee paid by the State). The duty to accept such appointments is a part of the obligation of every lawyer.

The proceedings before this committee are not, however, criminal proceedings, and the committee has no power to appoint counsel for witnesses summoned to appear before it. In the absence of that power, therefore, the Seattle Bar Association has undertaken the task of supplying counsel for indigent witnesses just as the courts, for centuries, have appointed counsel for indigent defendants.

The committee is, I think, also aware that there is a precedent for our action here. When the committee was here 2½ years ago, in June 1954, a similar situation was presented. To refresh our recollection I refer to the following pages of the printed record of the committee's hearing at that time on its Investigation of Communist Activities in the Pacific Northwest Area, pages 6336, 6337, 6379, 6380, 6516, 6517, and 6561-6564.

There the situation developed this way: A witness named Henrickson complained that he needed an attorney, that he did not have one and had no money to employ one. The chairman said that he would excuse the witness for the day and would ask the president of the Seattle Bar Association to obtain counsel for the witness. He did so, and the next morning Mr. Michael K. Copass, who was then president of the association and now is one of our superior court judges, appeared with the witness and stated that he had undertaken the representation himself.

Later on in the hearing Mr. Copass appointed Mr. Wayne C. Booth, who was then the association's first vice president and later became its president, to represent another indigent witness, and Mr. Booth did so.

Also, pursuant to an appointment made by Mr. Copass, Mr. Alfred J. Schweppe, who was later that year elected president of the Washington State Bar Association, appeared at the hearing representing the witness, John Caughlan.

All of these gentlemen served without compensation and in fulfillment of their obligations as members of the bar. A similar situation exists in the case of those who will appear before the committee at the present hearing.

I am proud to say that no one of those whom I have appointed hesitated for a moment in accepting the appointment, even though it was made on short notice and necessitated the cancellation of many appointments and a serious disruption of the busy practice of each of these gentlemen. I think that their conduct is in keeping with the very highest traditions of the bar, and I am happy to inform the committee of these facts, so that the committee and the public will understand them.

COMMUNIST POLITICAL SUBVERSION

FRIDAY, DECEMBER 14, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Seattle, Wash.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:05 a. m., in the county commissioners assembly room, County-City Building, Seattle, Wash., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle of California, and Gordon H. Scherer of Ohio.

Staff members present: Richard Arens, director; William A. Wheeler and Donald T. Appell, investigators; and Richard S. Weil, staff member.

(Committee members present at the time of convening: Representatives Doyle and Scherer.)

MR. DOYLE. Please may the committee come to order.

I want to cordially say again how very much the committee appreciates the very definite cooperation of everyone in the hearing room yesterday—we know we will have the same today—the cooperation with the large group here in the matter of keeping absolutely quiet and making no demonstration of either approbation or disapproval.

And we appreciate very much also, the definite cooperation of the legal counsel who have appeared with witnesses and have been so observant of the committee's rules. We also appreciate the cooperation of the witnesses.

May the record show that, again this morning, Congressman Scherer, of Ohio, and Congressman Doyle, of California, subcommittee chairman, are both present, of the subcommittee of three appointed by the full committee chairman, Francis E. Walter, and, therefore, a legal quorum of the subcommittee is present and qualified to proceed. In this connection may I make this statement for the information of those that do not know:

The House of Representatives in the last session unanimously adopted a resolution which became the governing rule of all House of Representatives investigative committees requiring at least two members of an investigative committee be present with a witness testifying under oath. That is a standing rule now of all investigative committees of the House of Representatives. We think it is a great advancement in the congressional procedure.

Now, if counsel and my distinguished colleague please, I thought it appropriate, in view of much mention yesterday of Civil Action File No. 4287, which was the case by John W. Caughlan, Marion Kinney, Louise Hatten, Cecelia Corr and Clara Paulson, as members of the Washington Committee for Protection of Foreign Born, against myself, Clyde Doyle, and Harold Velde and Gordon Scherer and Mr. Wheeler as a John Doe who was served—I thought it appropriate that we might, Mr. Scherer, include at this point the press release or press comment as to what the judge said because it appears to be a quote in the Seattle Post-Intelligencer for Friday, December 14, 1956. It is very brief. It is on page 8 thereof, and here is what the paper released as a quote:

Judge Bowen ruled—

this is the Federal judge, a very distinguished Federal judge.

"No court can limit the lawful actions of the legislative branch of the United States Government.

"There has been nothing shown to this court which leads the court to find there is anything invalid in the indicated desire of the legislative committee in question.

"The material sought (letters, documents and leaflets of the Washington Committee for Protection of the Foreign Born which Judge Bowen said were designed to obtain revision or repeal of the Smith, Internal Security, and Immigration and Nationality Acts) is well and clearly and unmistakably confined to matters within the jurisdiction, objectives and normal work of the Congress of the United States and of its congressional committees, here," he continued.

John Caughlan, attorney for the plaintiffs, asserted—here is another quote:

"Production of the material (before the House subcommittee) will immediately result in termination of the activities of the Washington Committee for Protection of the Foreign Born.

"If Mrs. Kinney (Marion Kinney, a plaintiff and executive secretary of the WCPFB) declines to produce this material on the ground the committee is exceeding the scope of the committee or Congress, then she immediately is subject to the threat of criminal prosecution."

I thought, Mr. Scherer, it would be appropriate to read this and get this into the record at this point for the benefit of our colleagues in Congress.

Mr. SCHERER. That last part that you read, as I understand it, you were quoting Caughlan.

Mr. DOYLE. I was quoting the quote as reported by this distinguished newspaper, the Seattle Post-Intelligencer. And they quote the attorney, John Caughlan, for the plaintiff as making these two declarations in Federal court yesterday morning about 9 o'clock.

And I think, therefore, it might be interesting to us—it certainly is to me—to observe the difference of opinion between some of these witnesses and the distinguished Federal judge where the question is raised by witnesses that this committee is exceeding its jurisdiction.

There is one other point I want to make for the record. In this copy of this complaint, which was served on Mr. Wheeler yesterday, as to which Mrs. Kinney testified she signed a similar document, there is an allegation there that you and I, Mr. Scherer, as I recall it, are residents of Seattle, Wash. Now, of course, that is a most untrue allegation.

Mr. SCHERER. I don't think it says that.

Mr. DOYLE. Yes, I think so. I remember reading it yesterday.

If I am not incorrect, there is an allegation here that you and I are residents, which, of course, was known to be untrue, manifestly, because it is well known by paper publication and so forth that we are only here 2 days in these hearings.

I think it is on page 3 or 4.

How much bad faith can you plead in a complaint in order to try to get jurisdiction?

Are you ready, Mr. Arens?

Mr. ARENS. Yes.

Mr. SCHERER. Before we proceed you will recall that the last witness yesterday was Clayton VanLydegraf. This morning there was handed me an article from the Seattle Times of Friday, July 28, 1950.

The heading of the article is: "Red Party Gets Communist's Bonus." And then it shows a bonus check from the Washington State Veterans' organization in the amount of \$475, payable to Clayton VanLydegraf. It is his bonus check from the treasurer of the State of Washington. And it also shows the endorsement of that check by VanLydegraf to the Communist Party of the State of Washington.

I think I should read at least part of that article. It says, and it was written by Ed Guthman of the Seattle Times:

VanLydegraf is the No. 2 Communist leader in the State, second only to Henry Huff, the party's State organizer.

VanLydegraf told a University of Washington faculty investigating committee in 1948 that he probably would resign his Air Force commission in event of war with Russia. His commission expired in 1948 and has not been renewed.

VanLydegraf told the committee he has been a Communist since 1933 and State Communist secretary the past 3 years.

Mr. Chairman, I ask that the entire article from the Seattle Times be made a part of the record at the conclusion of VanLydegraf's testimony yesterday.

Mr. DOYLE. The order will be made.

(See exhibit 645b, appendix, p. 8244.)

Mr. SCHERER. Yes, the check was endorsed to the State Communist Party Defense Committee, and the committee was organized to collect funds for the defense of the 11 Communist leaders convicted in New York for conspiring to teach the forceful overthrow of the United States Government. And the article says that in another paragraph. That is what his bonus check went for.

Mr. DOYLE. Anything further, Mr. Scherer?

Mr. SCHERER. No.

Mr. ARENS. Louise Hatten, kindly come forward. H-a-t-t-e-n.

Mr. DOYLE. Please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HATTEN. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF MRS. LOUISE HATTEN, ACCOMPANIED BY COUNSEL, ARTHUR G. BARNETT

Mrs. HATTEN. Could I request that I not be televised and no pictures taken?

Mr. BARNETT. Mr. Chairman, the witness asked that she not be televised.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. DOYLE. The press will observe, please.

Mrs. HATTEN. I am Louise Hatten, 1815 18th. I am a housewife.

Mr. ARENS. You are appearing today, Mrs. Hatten, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. HATTEN. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mrs. HATTEN. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. BARNETT. I identify myself as Arthur G. Barnett, attorney, 1304 Northern Life Tower, assigned by the Seattle Bar Committee on Civil Rights to represent this witness.

Mr. ARENS. Mrs. Hatten, what was your maiden name, please?

(The witness confers with her counsel.)

Mrs. HATTEN. Seifried.

Mr. ARENS. Would you spell that?

Mrs. HATTEN. S-e-i-f-r-i-e-d.

Mr. ARENS. Where were you born?

(The witness confers with her counsel.)

Mrs. HATTEN. Cheyenne, Wyo.

Mr. ARENS. And give us a word, please, about your education.

(The witness confers with her counsel.)

Mrs. HATTEN. I have a bachelor's degree from the University of Washington, and master's degree from the University of Pennsylvania.

Mr. ARENS. What is your Pennsylvania master's degree in, please?

Mrs. HATTEN. Social work.

Mr. ARENS. Could you get a little closer to the microphone. Pull your chair up a little bit. I have difficulty hearing you.

When did you receive your master's degree?

Mrs. HATTEN. 1948.

Mr. ARENS. Now tell us, if you please, what was your first occupation after you received your master's degree?

Mrs. HATTEN. Social worker.

Mr. ARENS. Where?

(The witness confers with her counsel.)

Mrs. HATTEN. My first job after I graduated was in Arlington, Va., with the Children's Home Society of Virginia.

Mr. ARENS. How long were you employed there?

Mrs. HATTEN. For 2 years.

Mr. ARENS. And then tell us what was your next employment and where you were employed.

(The witness confers with her counsel.)

Mrs. HATTEN. From there I went to a job in Seattle with the Washington Children's Home Society.

Mr. ARENS. What year was that?

Mrs. HATTEN. 1950.

Mr. ARENS. And how long did you occupy that job?

(The witness confers with her counsel.)

Mr. BARNETT. The witness, Your Honor, is objecting to photographers still taking pictures after she has been sworn.

We would like the record to show this is in contempt of this committee and her rights.

A PHOTOGRAPHER. Her request was TV only.

Mr. BARNETT. No. Both.

Mr. DOYLE. Where is any photographer engaged in taking pictures?

A PHOTOGRAPHER. There is no picture being made here.

Mr. BARNETT. At this time, Mr. Chairman, I made the same request yesterday, and we both thanked the press. And this morning pictures appeared in the Seattle Post-Intelligencer, and the record should show that the Post-Intelligencer ignored it.

I don't know what can be done about it, but I would like that mild reproof for the sake of accuracy.

Mr. SCHERER. Do you claim the pictures that appeared in the papers were taken while the witness was on the stand?

Mr. BARNETT. That is what we claim.

And, despite our request yesterday on Myrna Anderson, it is in the front page of the Post-Intelligencer this morning.

Mr. SCHERER. Were they taken before she was sworn?

Mr. BARNETT. I preceded the witness and made the request before she came forward.

Mr. DOYLE. Well, that may be, Counsel. But if that picture was taken before she was sworn it was perfectly proper.

A PHOTOGRAPHER. It was made before she was sworn.

Mr. DOYLE. It is a fact that you made the request before she was sworn, and now here is the representative of that paper who says to us audibly right here in your presence, and mine, that that picture was taken before she was sworn.

Mr. BARNETT. I am referring at this point to Myrna Anderson.

Mr. DOYLE. That is what he is referring to.

So let's proceed, please.

Mr. ARENS. The last question outstanding on this record is how long were you employed in this children's home in Seattle.

Mrs. HATTEN. Five years.

Mr. ARENS. Beginning when and ending when, please?

Mrs. HATTEN. Beginning 1950; ending 1955.

Mr. ARENS. And then your next employment, please?

Mrs. HATTEN. That was the end of my employment.

Mr. ARENS. Are you a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. HATTEN. I decline to answer that question on the basis of my rights under the fifth amendment.

Mr. ARENS. We display to you now, if you please, the signature card and resolutions of authority, etc., on the Pacific National Bank of Seattle for the Washington Committee for Protection of Foreign Born, on which appears the signature of Louise Hatten as one of the officers of that organization. The date is 1954, December.

Kindly look at these documents as they are being displayed to you and see if you would be good enough to verify their authenticity.

(Document marked "Exhibit No. 647a, b," see appendix, pp. 8248, 8249.)

(The witness examines documents and confers with her counsel.)

Mrs. HATTEN. I decline to answer that question also on the basis of my rights under the fifth amendment.

Mr. ARENS. Now we display to you two checks drawn and stamped by the Washington State Committee for Protection of Foreign Born,

signed by Marian Kinney and Louise Hatten. One is dated September 1956, and the other is in August of 1956.

Kindly look at those checks and see if you won't be good enough to verify the authenticity of your signature.

Mr. ARENS. And while she is doing that, Mr. Chairman, I respectfully suggest that if, as and when this witness signs a voucher for her per diem, that part of the voucher bearing her signature be incorporated in the body of the record.

(Documents marked "Exhibit Nos. 648a-c," see appendix, pp. 8250-8252.)

Mr. DOYLE. The order is made.

(The witness examines documents and confers with her counsel.)

Mrs. HATTEN. I refuse to answer again on the same grounds.

Mr. ARENS. Have you ever been a member of an organization that bore the name of Queen Anne?

(The witness confers with her counsel.)

Mrs. HATTEN. I refuse to answer on the same grounds.

Mr. ARENS. You were the recording secretary of the Queen Anne Branch of the Communist Political Association here in Seattle; were you not?

Mrs. HATTEN. I refuse to answer that on the same grounds.

Mr. ARENS. I put it to you as a fact that you were active in the Communist Party in Philadelphia, and ask you to affirm or deny that fact.

Mrs. HATTEN. I refuse to answer that also on the same grounds.

Mr. ARENS. Are you or have you been an officer of the Washington State Committee for Protection of Foreign Born?

Mrs. HATTEN. I refuse to answer that question on the same grounds.

Mr. ARENS. Do you know Lillian Clott, C-l-o-t-t?

Mrs. HATTEN. I decline to answer that question also on the grounds of the fifth amendment.

Mr. ARENS. What was the address at which you lived when you were working in Seattle?

(The witness confers with her counsel.)

Mrs. HATTEN. I decline to answer that also on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question, Witness.

(The witness confers with her counsel.)

Mrs. HATTEN. I decline to answer that on the same grounds.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that in 1949 you were living with Lillian Clott, a Communist.

Mrs. HATTEN. I decline to answer that on the same grounds.

Mr. ARENS. Are you this minute a Communist?

Mrs. HATTEN. I decline to answer that question on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. Yes; I have 1 or 2, Mr. Chairman.

Is it Mrs. Hatten?

Mrs. HATTEN. Yes.

Mr. SCHERER. Mrs. Hatten, since you requested the Seattle Bar Association to represent you at this hearing because you have no funds, I assume then that you did not pay the costs or the fees involved

in this suit which you filed against this committee 2 days ago.

Who paid those costs and fees?

(The witness confers with her counsel.)

Mrs. HATTEN. I don't know the answer to that question.

Mr. SCHERER. Well, do you know that money was advanced to the clerk of the Federal district court here so that the subpoenas could be served? Do you know that?

(The witness confers with her counsel.)

Mrs. HATTEN. I have heard that that is true.

Mr. SCHERER. Who advanced that money?

Mrs. HATTEN. Well, I don't know.

Mr. SCHERER. Who were your attorneys in this action?

(The witness confers with her counsel.)

Mrs. HATTEN. There were several attorneys involved in that, and I am not sure who they all were. Mr. Phil Burton——

Mr. SCHERER. Give us the names of those you know.

Mrs. HATTEN. Mr. Phil Burton, Philip Burton, was the chief counsel in that action.

Mr. SCHERER. What other attorneys that you know of participated in the filing of this action on your behalf?

(The witness confers with her counsel.)

Mrs. HATTEN. I know that I don't know all of them, but I know Mr. Sykes, Jay Sykes, Mr. John Caughlan, and Mr. Francis Hoague.

Mr. SCHERER. Your husband is a member of the Seattle bar. Was he one of counsel?

(The witness confers with her counsel.)

Mrs. HATTEN. No; he wasn't one of them.

Mr. SCHERER. Did you see this complaint before it was filed?

(The witness confers with her counsel.)

Mrs. HATTEN. No; I didn't, sir.

Mr. SCHERER. Did you know what the complaint contained?

(The witness confers with her counsel.)

Mrs. HATTEN. Yes; in general I know what is in it.

Mr. SCHERER. What part did the Communist Party have in the preparation of this complaint and the filing of this complaint?

(The witness confers with her counsel.)

Mrs. HATTEN. I decline to answer that question on the basis of the fifth amendment.

Mr. SCHERER. Do you know how many of the parties involved with you as plaintiffs in this action were actual members of the Communist Party?

Mrs. HATTEN. I decline to answer that question on the basis of the fifth amendment.

Mr. SCHERER. Did you know that at least one of the attorneys was a member of the Communist Party?

Mrs. HATTEN. Again I must decline to answer that question on the basis of the fifth amendment.

Mr. SCHERER. Now before we pass on to another matter, Mr. Chairman, I want to apologize to you because when you said that this complaint alleged that the three Members of the Congress who were parties defendants were residents of King County, Seattle, Wash., I questioned that. I didn't think they would have the gall to make that allegation in order to obtain jurisdiction.

But, in reading the petition, I find that you were right and I am wrong.

We were not even present in the State of Washington at the time this affidavit was made. Nor were we present, actually present, in the State of Washington at the time the suit was filed. And, of course, we are not residing in the State of Washington. That is obvious. We are here as visitors on assignment of the Congress of the United States.

So I apologize for questioning your statement this morning.

Mr. DOYLE. Well, you and I both have practiced law years before we first went to Congress, and we know that is bad faith with the court, to deliberately make a knowingly false and untrue allegation in order to get jurisdiction.

Mr. SCHERER. Well, if you will recall, the party plaintiff who actually signed this complaint was on the stand yesterday and took the fifth amendment when I asked her whether all the allegations in this petition or complaint were true. And there are others that I do not want to discuss at this time.

Mr. DOYLE. You and I in our years on this committee have learned we can expect most anything false and misrepresentative and untrue from any committee that is controlled by the Communist Party the way this American Committee for Protection of Foreign Born is throughout the United States so far as the evidence is concerned. We know that. But we can't overlook it just because they are in the habit of lying.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I have no questions.

You are excused, Witness, and counsel.

Thank you.

Mr. ARENS. Julia Ruuttila, R-u-u-t-t-i-l-a.

Mr. DOYLE. Will you please raise your right hand and be sworn.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. RUUTTILA. Yes, I do, so help me, God.

TESTIMONY OF MRS. JULIA RUUTTILA, ACCOMPANIED BY COUNSEL, FRANK H. POZZI AND BERKELEY LENT

Mr. ARENS. Kindly identify yourself by name, residence—

Mrs. RUUTTILA. May I request no pictures, no television, and no movies.

And please accept my apologies as a reporter for making this request.

Mr. DOYLE. The press always cooperates with such a request, and I am sure they will in this instance.

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

(The witness confers with her counsel.)

Mrs. RUUTTILA. My name is Julia Ruuttila.

Mr. ARENS. We can't hear you.

Mrs. RUUTTILA. My name is Julia Ruuttila.

Mr. ARENS. Please get a little closer to the microphone.

Mr. DOYLE. May the witness spell that name, Mr. Arens, please.

Mr. ARENS. Is it R-u-u-t-t-i-l-a?

Mrs. RUUTTILA. Yes, it is.

I have a bad case of pleurisy, and it is difficult for me to talk. I will do my best.

My name is Julia Ruuttila. I live in Astoria, Oreg. I am a housewife, and I do a little writing.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. RUUTTILA. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mrs. RUUTTILA. Yes, I am.

Mr. ARENS. Will counsel kindly identify yourselves.

Mr. Pozzi. F. H. Pozzi, Loyalty Building, Portland, Oreg.; B. Lent, Loyalty Building, Portland, Oreg.

Mr. ARENS. What was your maiden name, Mrs. Ruuttila?

(The witness confers with her counsel.)

Mrs. RUUTTILA. I respectfully decline to answer that question, based upon my rights, privileges, and immunities accorded to me by the first, fourth, fifth, ninth, and tenth amendments of the Constitution of the United States.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question as to what is her maiden name.

Mr. DOYLE. I direct you, Witness, to answer the question.

(The witness confers with her counsel.)

Mrs. RUUTTILA. I must decline to answer on the same grounds that I have stated.

Mr. ARENS. For whom do you do this writing? You said in your apologies to the press that you do a little writing and you are a reporter.

For whom do you report and for what publication do you write?

(The witness confers with her counsel.)

Mrs. RUUTTILA. I am a free-lance reporter, and the only thing that I am doing regularly at the present time is I send Oregon local ILWU news items to the official union newspaper, the Dispatcher.

Mr. SCHERER. I can't hear the witness.

Mrs. RUUTTILA. I am a free-lance reporter and writer, and the only thing that I am doing regularly at the present time is I send local ILWU news items from Oregon to the official union newspaper, the Dispatcher.

Mr. ARENS. Under what name do you write?

(The witness confers with her counsel.)

Mrs. RUUTTILA. I write for the Dispatcher under the name Kathleen Ruuttila.

Mr. ARENS. Spell that, please.

Mrs. RUUTTILA. K-a-t-h-l-e-e-n R-u-u-t-t-i-l-a.

Mr. ARENS. Have you ever used the non de plume Julia Eaton?

(The witness confers with her counsel.)

Mr. ARENS. You don't need to read that again. If you just want to invoke the fifth amendment, invoke it.

Mrs. RUUTTILA. I decline—

(The witness confers with her counsel.)

Mrs. RUUTTILA. I decline to answer on the basis of all the reasons I stated before.

Mr. ARENS. Do you honestly feel, young lady, that if you told this committee truthfully whether or not you write under the name of Julia Eaton you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer that for the reasons previously given.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct the witness to answer that question.

(The witness confers with her counsel.)

Mrs. RUUTILA. Will you repeat the question, please.

Mr. ARENS. Yes.

Do you honestly apprehend if you told this committee truthfully whether or not you write under the name or have written under the name of Julia Eaton you would be supplying information that might be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. RUUTILA. Yes.

Mr. ARENS. Now for what other publications do you write besides the labor group that you have told about, this ILWU?

Mrs. RUUTILA. I have written a good deal of poetry for the Oregonian.

Mr. ARENS. I didn't get that. Say that again, please.

(The witness confers with her counsel.)

Mr. RUUTILA. I have written a good deal of poetry for the poetry page of the Oregonian.

Mr. ARENS. I respectfully suggest that counsel for the witness be admonished not to touch the witness, and to signal her in that respect, and to wait until the witness requests advice from counsel.

Now, ma'am, what other publications have you written for?

Mrs. RUUTILA. I have written a good deal of poetry for the poetry page of the Oregonian published in Portland, Oreg.

Mr. ARENS. What other publications?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the reasons previously stated.

Mr. ARENS. Now I want to lay before you a few exhibits. First of all, we have an exhibit from the Communist Daily People's World, Julia Eaton, whose articles have appeared in the Daily People's World under the byline Kathleen Cronin, was fired under a loyalty program over in Portland.

Look at this article and tell this committee now while you are under oath if it is not a fact that you are the same person, Kathleen Cronin and Julia Eaton and Julia Ruuttila.

(Document marked "Exhibit No. 649," see appendix, p. 8253.)

(The witness confers with her counsel and examines document.)

Mrs. RUUTILA. I must decline to answer on the same grounds.

Mr. ARENS. I put it to you as a fact, ma'am, that you are one and the same person as indicated in the Communist publication.

Now, we want to lay before you a copy of the Communist Daily People's World in which your photograph appears, in a striking likeness to your present appearance, in 1948. A photograph of Julia

Eaton, who, according to the articles, was discharged from the Oregon Public Welfare Commission.

Kindly look at that article and tell us if you won't be good enough to verify the authenticity of your photograph and of that designation of yourself.

(Document marked "Exhibit No. 650," see appendix, p. 8254.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question, Witness.

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the grounds previously stated.

Mr. ARENS. Were you fired because you criticized the Oregon Public Welfare Commission?

(The witness confers with her counsel.)

Mrs. RUUTILA. I received a letter from the commission, signed by Loa Howard, the administrator, firing me without notice and with no reasons being given.

Mr. ARENS. And under what name did this all transpire?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the reasons I have previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer this question.

Mr. DOYLE. I again direct you to answer that question, Witness.

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer for the same reasons.

Mr. ARENS. I would like to display to you one of your creative efforts in the field of writing. It is in the Communist Daily People's World, an article about America's stepchildren, telling about 14 million persons of foreign birth who are jeopardized under the infamous law, the McCarran-Walter Act, by Julia Ruutila.

Look at this article in which all kinds of allegations and assertions are made respecting a reign of terror in the United States, and see if you don't want to apologize again to the press representatives who are here because of your authorship of that article.

(Document marked "Exhibit No. 651," see appendix, pp. 8255-8257.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. Will you have the question repeated for me, please.

Mr. ARENS. Yes.

Kindly repeat the question back to the witness, Mr. Reporter.

(The question was read by the reporter.)

Mrs. RUUTILA. I shall have to decline to answer on the grounds previously stated.

Mr. ARENS. I should like to display to you still another article. It is from the Communist Daily Worker, Sunday, January 29, 1956. It is a curious thing I want to invite your attention to.

The by-line says by "Julia Ruutila". And there is a description of who this "Julia Ruutila" is. It says this is:

First of a series of articles written exclusively for Federated Press by Mrs. Ruutila, secretary of the Clatsop County Committee for Protection of Foreign Born.

The article is headed: "McCarran Act Exiled Over 11,000 Last Year."

A vicious attack against a security law of this country.

Look at this article and see if you don't want to repeat the apology you made to your fellow pressmen who are present today.

(Document marked "Exhibit No. 652," see appendix, pp. 8257, 8258.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the grounds that I previously stated.

Mr. ARENS. Are you honestly described there, truthfully described there as secretary of the Clatsop County Committee for Protection of Foreign Born?

Mrs. RUUTILA. I must decline to answer on the same grounds.

Mr. ARENS. And have you been connected with the Astoria Committee for the Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the same grounds I previously stated.

Mr. ARENS. I want to submit to you still another article from the Communist Daily Worker of February 5, 1956, entitled: "Shadow of Fear Hangs Over Many Foreign Born, by Josephine Ruuttila (sic)." And the lead paragraph I want to read to you:

Hundreds of victims of the vicious McCarran-Walter Nationality Act just disappear from the American scene. People remembered by neighbors and workers as "that nice Canadian woman I used to meet at the supermarket" or that Norwegian—or Italian, or Finn—"who worked on the green chain."

People who had no money for lawyers' fees, no idea which lawyer to approach. Men who told their wives before they were hauled off to jail: "Call up the plant (or the hiring hall). Tell 'em I can't come to work for a while, but say I'm sick." Men who never saw their fellowworkers again.

Don't you want to apologize now again to the press, your fellow pressmen, for this monstrous misrepresentation appearing in a Communist publication with reference to a security law passed by the Congress of the United States?

Look at that article and tell this committee while you are under oath and your fellow pressmen, to whom you apologized a few moments ago for not permitting your picture to be taken, whether or not you are the author of that diatribe.

(Document marked "Exhibit No. 653," see appendix, pp. 8258, 8259.)

(The witness confers with her counsel.)

Mrs. RUUTILA. It was rather lengthy.

Would you please have it repeated to me, please.

Mr. ARENS. Yes.

First of all, do you want to apologize writing that article to your fellow pressmen?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must respectfully refuse to answer the last questions upon the rights, privileges, and immunities afforded to me by the 1st, 4th, 5th, 9th and 10th amendments to the Constitution of the United States.

Mr. ARENS. Do you know of a single case in which a person has been the subject of investigation—exclusion, deportation—in which you or your organization have taken an active interest, in which that person is not a member of the Communist conspiracy?

Mrs. RUUTILA. I'm sorry, but I don't have too much breath. I have pleurisy. And you didn't permit me to finish answering.

Mr. Pozzi. The previous question.

Mrs. RUUTILA. The previous question.

Mr. ARENS. I thought she just invoked the fifth amendment.

Mr. Pozzi. She has some other grounds.

Mr. ARENS. You go ahead and give us all the grounds you want to give us.

Mrs. RUUTILA. I further decline to answer that question on the grounds that it is not pertinent to the matter and question under inquiry.

And I further decline to answer that question on the grounds that it is beyond the scope of matters concerning which this commission is authorized to inquire.

Mr. ARENS. We would like to display to you still another document from the Communist Daily Worker of February 12, 1956—"Immigration Laws Create Second-Class Citizenship"—again alluding to the reign of terror because of the McCarran-Walter Act which provides for the deportation of Communist traitor aliens.

Kindly look at this document and tell this committee while you are under oath whether or not that is one of your handiworks.

(Document marked "Exhibit No. 654," see appendix, p. 8260.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer this question upon all of the grounds, all of them that I have previously stated.

Mr. ARENS. I would like to discuss with you for a few moments some of your other activities.

We see here in 1948, in a copy of the Communist Daily Worker—"Oregon Communist Party Presents Flood Aid Plan, by Kathleen Cronin":

The Oregon Communist Party today presented a blueprint for relief of—certain flood victims.

Kindly look at this document and see if you were the author and if you can't be good enough to verify the authenticity of your authorship of that article.

(Document marked "Exhibit No. 655," see appendix, p. 8261.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer this question on the grounds already given.

Mr. ARENS. Now we would like to display to you, in series here, in order to economize on time, articles of your authorship—Kathleen Cronin—appearing in Communist publications.

Kindly look at those documents and tell this committee while you are under oath whether or not you are the author of those articles.

(The witness examines documents and confers with her counsel.)

(Documents marked "Exhibit No. 656 a, b," see appendix, pp. 8262, 8263.)

Mr. LENT. Where exhibits are attached in 2 parts are you referring to it all as 1 exhibit?

Mr. ARENS. That is right, yes.

Mrs. RUUTILA. I must decline to answer on the same grounds.

Mr. ARENS. Now I see here a document that puzzles me a little, and perhaps you can help us.

Kathleen Cronin, well-known labor journalist in the Northwest, has agreed to serve as MOL's correspondent in the Northwest States.

And then there is an article appearing: "Marshall Plan in Reverse, by Kathleen Cronin, MOL's Northwestern correspondent." This article appears in March of Labor.

Tell us, if you please, ma'am, while you are under oath, are you or were you one of the correspondents for the March of Labor?

(Document marked "Exhibit No. 657," see appendix, p. 8264.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer upon all of the grounds previously stated.

Mr. ARENS. I have here, by an article by yourself: "It Was Murder on Clatsop Spit." All about a man who, as a result of the immigration laws where he was deported, finds himself facing death and murder, under the authorship of Kathleen Cronin.

Would you tell us about that case while you are under oath on this record? And would you also verify the authenticity of your authorship of that article.

(The witness examines document and confers with her counsel.)

Mr. RUUTILA. I decline to answer upon all of the reasons I have previously given.

Mr. ARENS. What is your husband's name, for the purpose of identification?

(The witness confers with her counsel.)

Mrs. RUUTILA. My husband's name is Oscar Ruuttila.

Mr. ARENS. Thank you. Now I want to show you another exhibit from the Communist Daily People's World of August 2, 1951, when the 11 Communist traitors were on trial in New York City.

According to this article, Oscar Ruuttila of Astoria, Oreg. wired Mr. Truman that the arrest of these people constitutes a horrible nightmare in America from which there may be no awakening unless you act now. And Kathleen Cronin, who is listed in the same article as a veteran labor journalist in the Northwest, wired the Attorney General her vigorous protest.

Unless you act now to reduce the prohibitive bail in this case many working newsmen will regard you as a second Goebbels.

(Document marked "Exhibit No. 658," see appendix, p. 8265.)

That was directed to the Attorney General in protest of the arrest of the 11 Communist traitors who were tried in New York City. Now tell your fellow pressmen, to whom you apologized a little while ago, whether you really were sincere when you felt the arrest of these 11 Communist traitors, the trial of them by a jury of their peers, and their conviction, was really just a matter of Goebbels' operation and a reign of terror.

Mr. SCHERER. Even with the high bail, didn't some of them jump bail?

Mr. ARENS. I think 1 or 2 of them did, yes.

Mr. SCHERER. They couldn't find them.

The bail should have been higher.

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer upon the grounds previously stated.

Mr. ARENS. Maybe you can give us a little bit of enlightenment as to what you mean in this article: "Layoffs Mount as State Department Bans China Trade." It is in the Communist Daily Worker,

by Kathleen Cronin, in which our Government is taken to task for banning trade with Red China, Communist China, and in which article that is described and characterized as one of the principal causes for the layoffs of the working people.

Look at that article and see if you don't have perhaps a twinge of conscience that maybe you may have stretched the facts a bit.

(See exhibit No. 656b, appendix, p. 8263.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer upon all of the grounds previously stated.

Mr. ARENS. I have just 1 or 2 more articles I want to ask you about. And you understand we are very happy to have you speak up freely. We are not undertaking to impede your free speech here.

Here is an article appearing in the Communist Daily People's World. "Framed" is the name of the article, the title. "Framed." Just one word. The author of this article about people being framed, with a photograph, is Julia Eaton.

She is described this way:

Julia Eaton, who writes under the name of Kathleen Cronin—

She is identified further as a person who is a special correspondent for the Daily People's World.

Look at that article and that photograph and see if you have any apology to offer for that photograph.

(Document marked "Exhibit No. 659," see appendix, p. 8266.)

(The witness examines document and confers with her counsel.)

Mrs. RUUTILA. I must decline to answer upon all of the grounds I have previously stated.

Mr. ARENS. I put it to you as a fact, ma'am, that you are a member identified, or have been, with the North End Club of the Communist Party in Portland, Oreg., and that you are now and have been for several years one of the principal propagandists in the Northwest for the Communist conspiracy. If that isn't true, deny it, while you are under oath.

(The witness confers with her counsel.)

Mrs. RUUTILA. Would you repeat the question, please.

Mr. ARENS. Yes.

I put it to you as a fact that in the course of the last few years you were actively identified with a Communist cell in Portland, Oreg. That is question No. 1. North End Club. Answer that question and then we will get on to the next one.

Mr. Pozzi. Mr. Arens, I am sorry to interrupt but are these gentlemen taking pictures?

A PHOTOGRAPHER. No. We are just looking.

Mrs. RUUTILA. I must decline to answer upon the grounds I previously stated.

Mr. ARENS. Now will we get to the second question.

I put it to you as a fact, ma'am, and ask you to affirm or deny the fact that you are and have been for some several years been one of the principal propagandists in the Northwest for the Communist conspiracy.

Mrs. RUUTILA. Would you repeat the question to me, please.

Mr. ARENS. Yes, ma'am, I would be glad to, for the third time.

I put it to you as a fact, that you are now and have been for some time one of the principal propagandists for the Communist conspiracy in the Northwest.

Mrs. RUUTILA. I must decline to answer upon all of the grounds I have previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. Madam, you have written about the alleged reign of terror resulting from the application of the provisions of the security acts of this country.

Have you written anything at all about the reign of terror resulting from the massacres by the Communists of the Hungarians in the last few months?

(The witness confers with her counsel.)

Mr. DOYLE. Of course, that would have been published if she had, at least a week or 10 days ago.

Mr. SCHERER. A month.

Mr. DOYLE. Or a month ago.

So she should have a copy of it, shouldn't she?

Mr. SCHERER. If she wrote it.

Mr. DOYLE. If she wrote it. Sure.

Mrs. RUUTILA. No.

Mr. SCHERER. The answer is no?

Mrs. RUUTILA. That is correct.

Mr. SCHERER. Did you approve the actions of the Communists in Hungary?

Is that the reason you haven't said anything about it?

(The witness confers with her counsel.)

Mrs. RUUTILA. Which Communists?

Mr. SCHERER. The Communists are an international group. The Russians.

Mrs. RUUTILA. The question is so unclear to me that I must decline answer on the grounds I previously stated.

Mr. SCHERER. The question is unclear?

I merely asked: Do you approve of the actions of the Russian Communists against the people of Hungary who are asking for self-determination of their Government—that is clear—and the obvious reign of terror which the whole world knows has been created by the killing of these people who have merely asked that they have the right to select their own Government and not be dominated by the Kremlin?

(The witness confers with her counsel.)

Mrs. RUUTILA. I have never been in a position to cover that story, and I haven't read too much about it. But, from the little that I have read in the press, I disapprove.

Mr. SCHERER. From the little she has read about it, she disapproves.

Mr. ARENS. It hasn't caused you to break with the Communist conspiracy, though, has it?

Mrs. RUUTILA. I must decline to answer that question on the grounds I have previously stated.

Mr. SCHERER. But you have not said anything about it in your writings in the articles you have submitted to these papers for whom

you write? You have not gone on record publicly in any of your writings as criticizing the action of the Russian Communists, have you?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer that question on all of the reasons I have previously given.

Mr. SCHERER. I put it to you as a fact that you have not written one single word criticizing the action of the Russian Communists in Hungary in relation to the oppression of the Hungarians who are attempting to have self-determination in their own Government.

Mrs. RUUTILA. I am very sorry, I turned to my attorney. I thought you had finished the question. I am afraid I missed part of it.

Mr. SCHERER. I put it to you as a fact, and if it is not a fact will you deny it, that you have not written one single word criticizing or condemning the actions of the Russian Communists in Hungary.

(The witness confers with her counsel.)

Mr. DOYLE. Well, she said she had read very little about it. I didn't suppose there was a newspaper person or a writer in America that, in the presence of all the newspaper headlines and voluminous Associated and UP reports about the slaughter in Hungary by the Soviet Communists—I didn't suppose there was any intelligent person that had read very little about it.

But this witness—I understood her to say she read very little about it.

Mr. SCHERER. That is right. But I just say I put it to her as a fact that she has not written one word condemning or criticizing the action of the Russian Communists in Hungary.

Mr. DOYLE. How could she write anything intelligent about it, Mr. Scherer? She said she had read very little about it.

Mr. SCHERER. Is what I have said true?

Mrs. RUUTILA. In answer to Representative Scherer, the answer would be "no" in answer to the question that he has.

Mr. SCHERER. The answer is what?

Mrs. RUUTILA. No.

Mr. SCHERER. No, you have not written.

All right.

Mr. DOYLE. I think while the witness is on the stand I want to read one brief paragraph, and I think I want to ask her a question.

I hold in my hand a copy of Public Law 831 by the 81st Congress. This is known as the Internal Security Act of 1950. Are you familiar with that law, Mrs. Cronin?

(The witness confers with her counsel.)

Mrs. RUUTILA. To answer your question, to say that I was extremely familiar with that law would imply that I had a detailed, technical knowledge of the law through having studied and read it to considerable extent.

Mr. DOYLE. You do have?

Mrs. RUUTILA. I would not say that I did have as much detailed knowledge of that law as some lawyers might have, no.

Mr. DOYLE. No. But you have a good knowledge, do you not—you feel you do—about the objectives of that law, without knowing the detail of it?

(The witness confers with her counsel.)

Mrs. RUUTILA. I am not that familiar, Representative Doyle.

Mr. DOYLE. I beg your pardon?

Mrs. RUUTILA. I am not that familiar with the law, Representative Doyle.

Mr. DOYLE. Well, I took it you were at least familiar enough with it so that you wrote against it. I would assume that you would know what you were talking about when you wrote an article against it. (The witness confers with her counsel.)

Mr. DOYLE. You assumed to know enough about it to inform your readers against it, I think this testimony shows. So you were writing something you didn't know anything about. Was that it?

Mrs. RUUTILA. I will decline to answer that question on the grounds I have previously stated.

Mr. DOYLE. Now I am going to read you one paragraph, and this is the very first section of the act about which you have written some articles condemning it. And certainly you took time to read this much before you wrote your article for pay to the Communist paper.

Now this is a declaration by your Congress, of which Mr. Scherer and I are a part for several years. And here is what it says in section 1:

This title may be cited as the Subversive Activities Control Act of 1950.

Nothing in this act shall be construed to authorize, require, or establish military or civilian censorship or in any way to limit or infringe upon freedom of the press or of speech as guaranteed by the Constitution of the United States, and no regulation shall be promulgated hereunder having that effect.

(Representative Gordon H. Scherer withdrew from the hearing room at this point.)

Mr. DOYLE. Section 2.

As a result of evidence adduced before the various committees of the Senate and House of Representatives, the Congress hereby finds that—there exists a world Communist movement which in its origins, its development and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

End of quote.

As long as you have written in the Communist People's World condemning and criticizing this act, one paragraph of which I have read, I will give you the opportunity to criticize that paragraph, if you will.

Is there anything wrong in that?

Your United States Congress made that finding.

Did we make a mistake or no?

(The witness confers with her counsel.)

Mrs. RUUTILA. I must decline to answer on the same grounds previously stated, Representative Doyle.

Mr. DOYLE. I would suggest that before you write any more articles condemning the internal security provisions of our existing statutes that you study them a little bit more so you will know what you are talking about instead of having to testify under oath that you don't know much about them.

I think that is all from this witness.

Thank you, and counsel.

Mr. ARENS. Maybe you want to take a recess.

Mr. DOYLE. May we have not over a 5-minute recess.

(Whereupon a brief recess was taken. Committee members present : Representative Doyle.)

(The committee was reconvened at the expiration of the recess. Committee members present : Representatives Doyle and Scherer.)

Mr. Doyle. While we are waiting for just a minute, I will state that there will be an afternoon session of this committee starting at 2 o'clock.

We will run as long as necessary to hear all the witnesses we want to.

Mr. ARENS. Are you ready for the first witness, Mr. Chairman?

Mr. DOYLE. Yes.

Mr. ARENS. Vincent Howard, kindly come forward.

Mr. DOYLE. Mr. Howard, will you please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole, and nothing but the truth, so help you God?

Mr. HOWARD. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF VINCENT HOWARD, ACCOMPANIED BY COUNSEL, JAY G. SYKES

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. HOWARD. My name is Vincent M. Howard. I live at 2706 North Williams Avenue.

Mr. ARENS. Will it be convenient for you if you get a little closer to the microphone?

Mr. HOWARD. My name is Vincent M. Howard. I live at 2706 North Williams Avenue, Portland, Oreg. And I am a warehouseman.

Mr. ARENS. Mr. Howard, I have to apologize to you. We couldn't hear you.

Would you kindly accommodate us by repeating that?

Mr. HOWARD. My name is Vincent M. Howard. I live at 2706 North Williams Avenue, Portland, Oreg. I am a warehouseman.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HOWARD. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. HOWARD. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. SYKES. My name is Jay G. Sykes. And I am representing this witness at the request of and on behalf of the Washington State Chapter of the American Civil Liberties Union.

Mr. ARENS. Mr. Howard, please tell us the post you hold with the Committee for the Protection of Oregon's Foreign Born.

Mr. HOWARD. I hold no post with that organization.

Mr. ARENS. Have you ever held a position of educational director for the Committee for the Protection of Oregon's Foreign Born?

Mr. HOWARD. I have not.

Mr. ARENS. Have you ever been identified with the organization in any capacity?

Mr. HOWARD. I have not.

Mr. ARENS. Have you ever been a member of the Civil Rights Congress of Portland?

(The witness confers with his counsel.)

Mr. HOWARD. Yes.

Mr. SYKES. Just a minute.

(The witness confers with his counsel.)

Mr. HOWARD. Well, I decline to answer that under the——

Mr. ARENS. You have already answered it. You said "Yes." It is on this record.

Mr. SCHERER. Maybe he wants to change his answer.

(The witness confers with his counsel.)

Mr. HOWARD. Will you repeat the question.

Mr. ARENS. The question was: are you a member and officer of the Civil Rights Congress in Portland? And you said yes.

Mr. HOWARD. Well, I am not. I misunderstood the question.

Mr. ARENS. I see. Have you ever been identified with the Civil Rights Congress of Oregon?

(The witness confers with his counsel.)

Mr. HOWARD. I refuse to answer on the fifth.

Mr. ARENS. Are you now or have you ever been a Communist?

Mr. HOWARD. I refuse to answer that question on the fifth also.

Mr. ARENS. That will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. Have you ever been identified with any committee for the protection of the foreign born?

(The witness confers with his counsel.)

Mr. HOWARD. I don't understand what that "identified" means.

Mr. SCHERER. Member of.

Mr. HOWARD. I refuse to answer that under the fifth.

Mr. ARENS. Do you know Abner Green?

Mr. HOWARD. No.

Mr. SCHERER. As I understand it—maybe I am confused—you denied having ever been a member of the Oregon Committee for Protection of Foreign Born, but you have taken the fifth amendment to my question as to whether or not you have been a member of any committee for the protection of the foreign born. Is that right?

Mr. HOWARD. I ask you to repeat the question. I wasn't sure what it was.

Mr. SCHERER. Have you ever been a member of the American Committee for Protection of Foreign Born or any of its branch or local organizations?

Mr. HOWARD. I will take the first and fifth on that.

Mr. SCHERER. I have no further questions, Mr. Chairman.

Mr. DOYLE. The witness is——

Mr. ARENS. I would like to ask this one question: Did you attend a session in Oregon in which Pettis Perry spoke on behalf of the American Committee for Protection of Foreign Born?

Mr. HOWARD. I will take the first and the fifth on that.

Mr. ARENS. Did you confer with Abner Green, executive secretary of the American Committee for Protection of Foreign Born with reference to the operations of that organization in Oregon?

Mr. HOWARD. I will take the first and fifth.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

Mr. DOYLE. The witness is excused. Thank you, counsel.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Norman Haaland, H-a-a-l-a-n-d.

Norman Haaland.

Mr. SYKES. Congressman Doyle, because of certain legal issues that may have been raised by responses of clients that I have represented, I feel that I must ask the committee whether it considers that it has stated officially and formally for the record the purpose and scope of this inquiry.

Mr. SCHERER. Yes.

Mr. DOYLE. Yes; it has been stated several times.

Mr. SCHERER. We made a long opening statement which is a part of the record, and a part of which has been reported in the press.

Mr. SYKES. Congressman Scherer, do I understand that that formal statement, that that statement you made, you consider the formal official statement as to the purposes?

Mr. DOYLE. No, no.

When I make a statement as a preliminary statement, we are not limited in our questions by that statement, if that is what you are getting at. That is merely a preliminary statement. We don't intend to be limited by that or by anything else we legally inquire into. Does that help you?

Mr. SYKES. Yes, Congressman. I am raising this question on a legal point.

Mr. DOYLE. This is not a court, sir. And we will not entertain any legal points.

Mr. SYKES. If the matter comes to court, the issue of the scope of this inquiry might be relevant.

Mr. ARENS. You prove your case on the basis of the information you have.

Mr. DOYLE. The law gives the scope, and not any preliminary statement.

Mr. ARENS. Norman Haaland, kindly come forward.

Mr. HAALAND. I am standing before you.

Mr. ARENS. Please raise your right hand.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAALAND. Yes.

TESTIMONY OF NORMAN HAALAND; ACCOMPANIED BY COUNSEL, JAY G. SYKES

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HAALAND. I am Norman Haaland, of Portland, Oreg.

Mr. ARENS. How do you spell that, please?

Mr. HAALAND. H-a-a-l-a-n-d. And I am unemployed.

Mr. ARENS. And your address?

Mr. HAALAND. 1727 Southeast Ladd.

Mr. ARENS. When were you last employed?

(The witness confers with his counsel.)

Mr. HAALAND. I was last employed in Portland, Oreg.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HAALAND. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. HAALAND. That is right.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. SYKES. My name is Jay Sykes, and I am representing this witness on behalf of and at the request of the Washington State chapter of the American Civil Liberties Union.

Mr. ARENS. What was your last employment, please, Mr. Haaland?

(The witness confers with his counsel.)

Mr. HAALAND. You mean the nature of that or what date it was—

Mr. ARENS. What was it?

Mr. HAALAND. It was carpenter work.

Mr. ARENS. And how long were you employed there?

(The witness confers with his counsel.)

Mr. HAALAND. Seven or eight days.

Mr. ARENS. What was your last principal employment prior to this carpentry work?

(The witness confers with his counsel.)

Mr. HAALAND. Carpenter work.

Mr. ARENS. And for how long were you engaged in this carpentry work?

Mr. HAALAND. Sir, does that mean how long I have been at the trade?

Mr. ARENS. Yes, sir. That would help us.

Mr. HAALAND. Approximately 10 years.

Mr. ARENS. Could you tell us of some of your outside activities?

You have told us of your principal occupation as a carpenter.

What have been some of your outside interests and activities in addition to your carpentry work?

(The witness confers with his counsel.)

Mr. HAALAND. I would like to have that question more specific.

Mr. ARENS. Well, you have engaged in the aged and honorable profession or trade of a carpenter. Tell us some of your outside interests and activities that you engage in or have engaged in in your spare time in the course of the last 10 years.

Are you still a little bit uncertain about what we are talking about?

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the basis of the 1st, 4th, 5th, and I think I will invoke the 9th and 10th amendments as well.

Mr. ARENS. Do you belong to any lodges?

Mr. HAALAND. I refuse to answer that question on the same grounds.

Mr. ARENS. Do you belong to any organizations of the nonsubversive variety?

(The witness confers with his counsel.)

Mr. HAALAND. What do you mean by nonsubversive?

Mr. ARENS. We are right back where we started from. Let's enumerate now, if you please, the organizations that you have belonged to in the course of the last 5 years.

(The witness confers with his counsel.)

Mr. ARENS. If you want me to help you, I can perhaps suggest to you, do you belong to the American Legion?

Mr. HAALAND. I have already answered your previous question, but that I——

Mr. ARENS. Do you belong to the American Legion? You wanted me to be a little more specific. Let's try that.

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully——

Mr. SYKES. Excuse me.

(The witness confers with his counsel.)

Mr. SYKES. May the witness finish the answer?

Mr. ARENS. You go right ahead, Witness.

Mr. HAALAND. Under the amendments of the Bill of Rights, as previously stated. I think that is covered by amendment No. 5.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question whether or not he belongs to the American Legion.

Mr. DOYLE. Yes, I so instruct you, Witness.

(The witness confers with his counsel.)

Mr. DOYLE. We have never known a case where membership in the American Legion might possibly incriminate a patriotic American citizen.

(The witness confers with his counsel.)

Mr. HAALAND. I think this might incriminate me, and I might waive my right under the fifth amendment.

Mr. ARENS. Do you honestly feel if you told this committee whether or not you are or have been a member of the American Legion you would be giving information that could be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. HAALAND. Yes. I don't know anything about the character of it, and it might be subversive as far as I know.

Mr. ARENS. Do you hold a card in the carpenter's union?

(The witness confers with his counsel.)

Mr. HAALAND. Yes.

Mr. ARENS. And what organization is that? What labor organization is that?

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question. He has already said he holds a card in a labor organization. I just asked him which organization it was.

Mr. DOYLE. I direct you to answer that question, Witness.

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the same grounds.

Mr. ARENS. Can you tell the committee what you have done for the preservation of the Constitution in the course of the last 5 or 10 years?

Mr. HAALAND. I refuse to answer—

Mr. SYKES. Just a minute.

(The witness confers with his counsel.)

Mr. HAALAND. Would you make that more specific?

Mr. ARENS. Yes. What organizations have you been active in which, on the surface at least, purport to be interested in preserving the Constitution?

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the grounds previously stated, and also that it is not a clear question.

Mr. ARENS. Let's be as specific as possible. Have you been an official of the Committee for Protection of Oregon's Foreign Born?

Mr. HAALAND. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Back in 1955 you were chairman of the ways and means committee of the Committee for the Protection of Oregon's Foreign Born, were you not?

Mr. HAALAND. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. And presently you are an official of the Portland Communist Party and an official of the State apparatus of the Communist conspiracy; are you not?

(The witness confers with his counsel.)

Mr. HAALAND. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. I have one question, Witness.

I understood you to say that one of the reasons you refused to answer the question whether or not you were a member of the American Legion was that it might be subversive.

You so stated, did you not?

I think the record will show that. I clearly heard you.

(The witness confers with his counsel.)

Mr. DOYLE. And in connection with that answer you relied upon your constitutional privilege, and then added that the American Legion might be subversive.

Now is the reason you claimed your constitutional privilege in answer to the last question by our distinguished counsel regarding the Communist Party in Portland—is the reason you claim your constitutional privilege there also because it might be subversive?

(The witness confers with his counsel.)

Mr. HAALAND. I do refuse to answer that on the grounds previously stated.

Mr. DOYLE. I couldn't help but notice that you put the American Legion in the possible category of being subversive, but you don't put the Communist Party in that answer in that same category.

Mr. HAALAND. I refuse to answer that on the same grounds.

Mr. DOYLE. I wanted you to know that we had noticed that answer about the Legion.

Mr. SCHERER. A typical Communist answer.

Mr. DOYLE. It is typical. No, no. This is the first time I have ever heard a man state from the witness chair that the Legion might be subversive.

Mr. ARENS. That term subversive means perhaps in some people's terminology subversive to their interests.

Mr. SCHERER. The Communist Party.

Mr. DOYLE. That is, the Legion might be undertaking to destroy the Communist Party, and therefore be subversive. I see. Well, that explains it. The witness is excused.

Mr. ARENS. The next witness, please, Mr. Chairman, is John Daschbach. John Daschbach, please come forward.

Mr. CAUGHLAN. My client requests that there be no pictures taken during his interrogation, if you please.

Mr. DOYLE. We will observe the freedom of the press at all times before the witness is sworn, actually sworn, and after he is dismissed from the witness chair.

But, of course, when the witness is sworn, counsel, then we recognize that he is under the control of the committee for a lawful purpose, and we expect the press to fully regard the expressed wish of the witness.

Mr. CAUGHLAN. Thank you. Of course, I call your attention to the fact that he is here under subpoena, and he was to be here. So that, as far as freedom is concerned——

Mr. DOYLE. That is right. And, of course, the press does not have to be here, but it also has some freedoms in our country. We won't undertake to control the free exercise of democracy by the press.

Mr. CAUGHLAN. I assume the hearing is under the control of the chairman, and the chairman can make any directions he sees fit.

Mr. DOYLE. I will never direct the press to not take a picture of a person in a hearing room when he is not under oath. Please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DASCHBACH. I do.

Mr. DOYLE. Please take the chair.

TESTIMONY OF JOHN DASCHBACH, ACCOMPANIED BY COUNSEL, JOHN CAUGHLAN

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. DASCHBACH. I am appearing here under subpoena. My name is John Daschbach.

Mr. ARENS. Your occupation?

(The witness confers with his counsel.)

Mr. DASCHBACH. I would like to have that question again.

Mr. ARENS. And your occupation, please, sir?

Mr. CAUGHLAN. May I advise the committee Mr. Daschbach is somewhat hard of hearing, and we may have some difficulty.

Mr. ARENS. Please give us your occupation.

(The witness confers with his counsel.)

Mr. DOYLE. Mr. Arens, excuse me.

Counsel, will you please explain to the witness, in view of the fact that he has an open book on his table there from which he apparently intends to read in whole or in part, that we do not permit any reading of prepared statements or any books or histories or anything like that.

If there is any statement, it should have been furnished to the committee before now.

Mr. CAUGHILAN. Maybe we could identify the book.

Mr. DOYLE. No, we don't permit reading from any book.

Mr. ARENS. Please tell the committee your occupation.

Mr. DASCHBACH. I decline to answer that question on the following grounds, that I am appearing here under a subpoena which states that there are certain pains and penalties attached to it. I am provided with a right of counsel.

I have certain inalienable constitutional rights which are given to me, and I am going to claim and assert each and every one of them.

I decline to answer that question on the grounds, first, that I am going to uphold the right of conscience and decline to answer that question on the grounds of the most basic proposition of our Government, of popular sovereignty, and that, as a citizen of the United States and a citizen of the State of Washington, I possess part of the popular sovereignty which the whole people possess.

Mr. ARENS. Do you honestly feel that if you told this committee—

Mr. DASCHBACH. I haven't finished my answer.

Mr. ARENS. Just a moment. Do you honestly apprehend that if you told this committee truthfully what your occupation is you would be supplying information that could be used against you in a criminal proceeding? That is the issue.

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, I am going to complete my answer. And then I shall proceed.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I want to inform you that you are not going to complete making a speech for public consumption. You are going to—

Mr. DASCHBACH. On the grounds, sir, of the fourth amendment of the Constitution of the United States, which provides the American people with certain rights of privacy.

On the grounds, secondly, of the first amendment, that Congress has no right to investigate such matters as where I work.

On the grounds of the sixth amendment, that this represents an invasion of my right of appeal, an invasion of my right under the fifth amendment to due process of law.

I decline to answer that question.

Mr. ARENS. Wait just a minute. Which part of the fifth amendment are you invoking? You had better confer with your counsel on that.

Are you invoking that portion of the fifth amendment which enables you to decline to give information which, in your judgment, might honestly be used against you in a criminal proceeding?

(The witness confers with his counsel.)

Mr. DASCHBACH. In answer to that question, I propose that the subcommittee withdraw the subpoena issued to me as a violation of my rights under the fifth amendment guaranteeing me due process of law.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness——

Mr. DASCHBACH. And I hold to every part of the fifth amendment except that part dealing with the presumption of a charge to a grand jury.

Mr. ARENS. Mr. Chairman, I want to make an announcement for the record with reference to this witness.

This witness was convicted under the Smith Act. The conviction was, or the sentence was October 16, 1953. The matter is now on appeal. I therefore announce for the record that I do not propose to ask this witness any questions relating to facts or circumstances prior to October 16, 1953.

Mr. DOYLE. Very well. We will take notice of that.

Mr. ARENS. Since October 16, 1953, have you been active in the affairs of the Washington State Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. DASCHBACH. On the advice of counsel, I decline to answer that question, first, on the grounds of the first amendment, that my right to peaceably assemble with anybody is my right; it is not subject to review by the Congress of the United States of America.

No. 2, on the grounds of all sections of the fifth amendment, that the very giving of the date by the examiner, the statements made here in regard to the Smith Act, repeatedly, yesterday and this morning, make it clear that the Smith Act is an issue in this hearing, and, as such, it infringes my rights under the Constitution, and my right of due process, and my full right of appeal.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

(The witness confers with his counsel.)

Mr. DASCHBACH. That question has already been answered.

Mr. ARENS. Thank you, sir.

And you are represented by counsel?

Mr. DASCHBACH. Yes. Surely.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. CAUGHLAN. My name is John Caughlan, member of the Seattle bar. I represented Mr. Daschbach in the proceeding which has already been referred to, as his counsel. And I am his attorney on the case which is now pending on appeal. And I represent him in that capacity, deeming that this situation is related to the other matters.

Mr. ARENS. Mr. Daschbach, do you know your counsel, Mr. Caughlan, there, in any capacity other than in the capacity of attorney and client?

(The witness confers with his counsel.)

Mr. DASCHBACH. In answer to that question, my relations with my attorney are privileged.

Mr. ARENS. Wait just a minute.

Mr. DASCHBACH. I do not wish to discuss them.

Mr. ARENS. I explicitly said do you know him in any capacity other than the capacity of attorney and client.

(The witness confers with his counsel.)

Mr. DASCHBACH. And, to continue, on the basis of the first amendment of the Constitution, I have the full right to associate with anybody I wish, and it is no business of the Congress of the United States whom I associate with.

Further on the ground of the fifth amendment, that I am entitled to full, due process of law in my appeal. I regard this question as an invasion, an infringement of that right, and I again ask the committee to withdraw this subpoena which is in conflict with the fact that the judiciary already has matters pertaining to this in its custody.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question.

Mr. DOYLE. I direct you, Witness, to answer that last question.

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, that question I have already answered. My answer is fortified by the Constitution and by the Bill of Rights.

I do not forswear any of the rights given to me on appeal.

And I again ask the committee to withdraw the subpoena which is in conflict with the fact that this matter is already before the courts, it is in the courts, and this action, by itself, is an infringement of my rights of full appeal.

Mr. ARENS. I have a report here I want to invite your attention to. You were convicted in 1953. This report is with reference to a meeting in 1956—this year—of the Washington Committee for the Protection of Foreign Born. According to this report that we have, John Daschbach—that's you—was the first speaker of the evening at this rally under the auspices of the Washington Committee for the Protection of Foreign Born. And, according to this report, what he was speaking about was the repeal of the Smith Act and repeal of the Walter-McCarran Act.

Would you tell us whether or not you made that little speech before the Washington Committee for the Protection of Foreign Born in 1956 calling for the repeal of the very act under which you were convicted?

(The witness confers with his counsel.)

Mr. DASCHBACH. Counsel has declined to give me the statement. I presume, therefore, it is a report by some stool pigeon.

Mr. Chairman, I rely upon my rights not only under the first amendment of the Federal Constitution but my right as a citizen of the State of Washington which entered into a compact with the United States Government in 1889 by which the State of Washington guaranteed it would never enact a piece of legislation repugnant to the Constitution of the United States or the principles of the Declaration of Independence.

Following that, in the constitution of the State of Washington, they declared that the right of petition and of people peaceably to assemble for the common good shall never be abridged, shall never be abridged. I am fully under my rights under the first amendment of the Constitution of the United States and under the constitution of the State of Washington to petition the Government for any redress of grievance I wish.

Mr. ARENS. Of course you are. We just want you to tell us about it. Now you just tell this committee while you are under oath,

whether or not you are now a member of a conspiratorial apparatus designed to destroy the Constitution of the United States.

Mr. DASCHBACH. Mr. Chairman, to make it crystal clear, I base my position upon the sovereignty of the people, that Congress has no right under the first amendment to try and tell people what they should think——

Mr. ARENS. We are not trying to do that.

Mr. DASCHBACH. What they should talk about or whom they should assemble with.

It is my obligation and duty to defend that, and I am doing it.

Mr. ARENS. Have you——

Mr. DASCHBACH. Excuse me. I am not finished. I am not finished, counsel.

Mr. ARENS. I know you are not. Tell this committee while you are under oath are you a member of the conspiratorial apparatus designed to destroy the Constitution of the United States?

(The witness confers with his counsel.)

Mr. DASCHBACH. The answer I was trying to make, Mr. Chairman, was not completed.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be admonished to answer the question.

Mr. DASCHBACH. And I would like to ask the Chair also, in view of the fact that section 1 of the Constitution of the State of Washington, sir——

Mr. DOYLE. Just a minute. Please proceed in an orderly manner. You have had your time to make your oration, and I am not going to grant any more time for those——

Mrs. DASCHBACH. Mr. Chairman, I am stating constitutional grounds. I am not making any oration.

Mr. DOYLE. All right. Plead your constitutional grounds. But we know the Constitution a little bit, too. You don't need to take 2 or 3 or 4 minutes to explain what each section contains. We have it right here in front of us.

Mr. DASCHBACH. I rely then upon all the grounds previously stated plus an additional ground, sir, that article I, section 1 of the Constitution of the State of Washington says that the Government is set up with the consent of the governed and is established to protect and maintain individual rights.

And I should like to ask the chairman to ask the counsel to respect my individual rights as a citizen of the United States and the State of Washington.

Mr. DOYLE. You make it very difficult for me also as chairman, Witness, because you are insisting on using this as a forum unnecessarily to make speeches. Now please desist in that. It is rather difficult for us to let you take time for that when we haven't allowed anyone else. I am not going to do it any more.

(The witness confers with his counsel.)

Mr. ARENS. Now, Mr. Daschbach, I was interested——

Mr. DASCHBACH. Excuse me. I hadn't finished my answer.

Mr. ARENS. You have given us enough answer. You invoked everything, you said, in the Constitution.

Mr. Daschbach, I was interested in your characterization of someone as a stool pigeon. I have here the Communist Daily Worker in which your name appears in an article by Abner W. Berry. This article is "On the Way" and it tells all about John Daschbach.

Please look at this article under date of April 1954, and tell this committee whether or not you are the John Daschbach alluded to, and whether or not the facts recited in that article are true.

(Document marked "Exhibit No. 660," see appendix, pp. 8267, 8268.)

(The witness examines document and confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, I rely upon all the answers I have already given stating my constitutional grounds, and, in addition to which, sir, there can be no legislative purpose served by the incoming Congress by any answer to that question.

Mr. ARENS. I want to invite your attention to still another meeting. Recalling that you were convicted in 1953, this meeting was held in March 1954, in Washington Hall, under the auspices of the Washington State Committee for the Protection of Foreign Born, in which it appears that you gave another oration on the Smith Act and the Walter-McCarran Act calling for the repeal of those laws and calling for all the folks to defend the Constitution of the United States and the Bill of Rights by insisting that the Congress repeal these anti-Communist laws.

Can you tell us whether or not you remember that oration you gave before the Washington State Committee for the Protection of Foreign Born in March of 1954 in Washington Hall here in Seattle?

Mr. DASCHBACH. Mr. Chairman, I have stated that, as an American citizen and a citizen of the State of Washington, I am protected in my right to have any opinion I want about any piece of legislation. If I want to agree with President Eisenhower I can do that; if I want to disagree with him, I can do that. The Congress has no power, because it is forbidden by the first amendment of the Constitution, to ask me questions about that.

Mr. ARENS. Are you going to answer the question now?

Mr. DOYLE. I don't think you have stated your answer fully. If you intend, in answer to that question, to rely on a constitutional privilege I don't think the record is clear that you did so.

Mr. ARENS. Did you attend the meeting on March 6, 1954 at Washington Hall under the auspices of the Washington State Committee for the Protection of Foreign Born after you were convicted in October of '53?

(The witness confers with his counsel.)

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DASCHBACH. As part of the subpoena, Mr. Chairman, it states about certain pains and penalties and—

Mr. DOYLE. Now—

Mr. DASCHBACH. Excuse me. I would like to answer the question. I don't know which question you are talking about.

Mr. ARENS. We want to know whether or not you attended this meeting on March 6, 1954, Washington Hall, under the auspices of the Washington Committee for the Protection of Foreign Born.

(The witness confers with his counsel.)

Mr. DASCHBACH. On the advice of counsel, that I am now confronted by a number of questions, I ask the committee to withdraw all questions and state one question to me.

Mr. ARENS. Mr. Chairman, I respectfully suggest this record now reflect an order and direction to the witness to answer this question.

Mr. DOYLE. There is one question before you, the last question. You heard it. I direct you to answer the question.

Mr. DASCHBACH. Will you state the question, sir.

Mr. ARENS. Mr. Chairman, he is just parrying with us now.

I respectfully suggest the witness be ordered to answer the question.

Mr. SCHERER. He has been ordered. Let's pass to the next one.

Mr. DASCHBACH. Could I have the record read back.

Mr. ARENS. We will go to the next question if you don't want to answer that one.

The next question is did you attend a meeting on April 15, 1956, in Seattle under the auspices of the Washington State Committee for the Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. SCHERER. May I suggest, Mr. Chairman——

Mr. DASCHBACH. May I answer the question?

Mr. SCHERER. Just a minute. I want a little time here. May I suggest that counsel be advised of the rule that he is supposed to advise his client with respect to his legal rights and not tell him what to say in response to a question. I can hear him all the way up here.

Mr. CAUGHLAN. I must object to that. I was trying to do just that. It seems to me—and I could have been mistaken—that the witness did not have an opportunity to answer the last question, and I was confused. He is hard of hearing. I was confused as to what question was pending, and I advised him to clear the matter up before going on.

Mr. DASCHBACH. Is it the position of the Chair that I have one question before me now, and all the questions are withdrawn?

Mr. DOYLE. No. No question is withdrawn. And you have one question before you.

Now please answer that.

Mr. DASCHBACH. It is only this question.

Mr. ARENS. Yes.

The question is did you attend this meeting on April 15, 1956, in Seattle of the Washington Committee for Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, on the basis, one, of the first amendment of the Constitution, that Congress has no right to inquire with whom I may peaceably assemble and petition the Government for redress of grievances, I decline to answer that question, and also all other grounds heretofore stated.

Mr. ARENS. Maybe you could help us here about a defense committee. It is the Northwest Citizens' Defense Committee. Apparently, from what you say, it must have been a committee to defend the Constitution. I say that with tongue in cheek also, obviously.

In July 2, 1954, the Communist Daily People's World has an article in which one John Daschbach, announces the formation of a Northwest Citizens Defense Committee, and that it is now a committee of the Civil Rights Congress for the purpose of soliciting funds to defend those people who have been convicted under the Smith Act.

Look at that article and tell us if, after you were convicted under the Smith Act, you formed a committee to defend people who were convicted under the Smith Act.

(Document marked "Exhibit No. 661," see appendix, p. 8268.)

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, I had the assurance that the matters relating to the Smith Act were not a part of this proceeding.

Mr. ARENS. You had the assurance that we would not ask you any questions respecting any activities prior to the conviction in October 1953. And this is 1954. Now look at that article and tell this committee whether or not the facts recited in that article are true.

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, this relates to the conduct of my appeal. It is a matter which is within the jurisdiction of the judiciary department of the Government. The legislative department of the Government has no right, absolutely, to interfere and ask me questions about my appeal.

Mr. ARENS. I respectfully ask the order to answer the question.

Mr. DASCHBACH. Further on the grounds of the first amendment, that Congress clearly has no right to ask me whom I assemble with to perfect an appeal, and all other grounds stated hereon.

Mr. ARENS. I respectfully suggest, Mr. Chairman, so there can be no ambiguity in the record, that this record now reflect an order and direction of the witness to answer the question.

Mr. DOYLE. I direct you to answer the question. It is not interfering with your appeal. Your appeal is perfected, of course. I direct you to answer the question.

(The witness confers with his counsel.)

Mr. DASCHBACH. Mr. Chairman, I clearly stated the constitutional grounds of my declining to answer that question, and I will add one more.

Section 3, article I of the State constitution of Washington, that no person shall be deprived of life, liberty, or property without due process of law.

Mr. DOYLE. Yes. You read that before. So if you just refer to it—

Mr. DASCHBACH. I think it is very important because this is a legislative trial interfering with my judicial appeal.

Mr. DOYLE. No; it is not.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Any questions?

Mr. SCHIERER. I have no questions.

Mr. DOYLE. The witness is excused. Thank you, counsel.

I think, for the benefit of the printed record and our colleagues in Washington and those that may be here, in view of the witness testimony and other testimony by witnesses identified under oath as Communist or convicted under the Smith Act, I refer to Public Law 637, 83d Congress, known as the Communist Control Act of 1954. This is what the United States Congress said, very briefly:

The Congress hereby finds or declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It

constitutes an authoritarian dictatorship within a republic demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. * * *

Unlike political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members.

End of quote.

Then I refer here to the Smith Act, which is well known, and has been through these hearings part of the subject matter of discussion as to the anti-Communist provisions thereof. Public Law 670, 76th Congress, and I read three short paragraphs so we can see what we are getting at:

It shall be unlawful for any person—

(1) to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying any Government of the United States by force or violence, or by the assassination of any officer of any such government;

(2) with the intent to cause the overthrow or destruction of any Government of the United States, to print, publish, edit, issue, circulate, sell, distribute, or publicly display any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any Government in the United States by force or violence;

(3) to organize or help to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any Government in the United States by force or violence; or become a member of, or affiliate with, any such group, society, or assembly of persons, knowing the purposes thereof.

I just wish to state, in closing, that we have plenty of evidence here and elsewhere that convicted Communists are in control of policy and finances of the Committee for Protection of Foreign Born. And that is what we are trying to bring out at this hearing.

We have no disagreement with the Communist Party or any other group. They have the right to petition Congress. Congress recognizes that right. It is a constitutional right. But the thing we American Congressmen want to know—and we believe we are entitled to know—is when we get a petition in Congress over the names of the American Committee for Protection of Foreign Born from Seattle, we are entitled to know the extent to which that Committee for Protection of Foreign Born in Seattle is controlled by convicted or other identified Communists because that makes it a Communist Party committee instead of a bona fide committee for the protection of foreign born.

If the Communist Party wants to petition Congress it has the constitutional right to do so. But we don't believe that any committee or any party has the right to petition Congress secretly and subversively without disclosing their true identity and their true interests.

If Congress has to deal with people in secret without them revealing their identity and their interest in legislation there is no way in God's world that we American Congressmen can legislate intelligently or fairly or soundly. And I am sure any thinking American citizen will recognize that.

One of the purposes of this hearing is to get on the record the ways and means in which the Communists in the Seattle area control or seek to control not only the Committee for the Protection of Foreign Born in Seattle and Portland but the way the Communist Party seeks to control the finances of the Seattle Committee for Protection of Foreign Born.

The committee will stand adjourned until 2 o'clock.

(Whereupon, at 12:35 p. m., the committee was recessed to be reconvened at 2 p. m., this same day. Committee members present: Representatives Doyle, and Scherer.)

AFTERNOON SESSION—FRIDAY, DECEMBER 14, 1956

(The committee was reconvened at the expiration of the recess, at 2:25 p. m. Committee members present: Representatives Doyle, and Scherer.)

Mr. DOYLE. The committee will please come to order.

Let the record show that of this subcommittee of three, appointed by Chairman Francis E. Walter of the full committee under Public Law 601, Representatives Scherer of Ohio, and Doyle of California, subcommittee chairman, are both personally present, and, therefore, a legal quorum of the subcommittee.

The committee will please proceed.

Mr. SCHERER. Before you proceed, Mr. Chairman, yesterday there was some criticism of our counsel when he asked a question of one of the witnesses as to whether he had participated in murder in connection with Communist Party activities.

I think it is appropriate, Mr. Chairman, that we introduce in the record the front page of yesterday's Los Angeles Times. I am just going to read a few lines from that article appearing in the Times.

There are big headlines, as you can see, across the top: "Student Death Follows Red Design for Murder." Remember this comes from yesterday's Times in Los Angeles.

The death last April of Sheldon Joseph Abrams, 25, Socialist agitator at UCLA, falls into a pattern of at least 6 well-documented Communist assassinations in this country in the last 20 years, the Times was told exclusively yesterday.

Techniques varied but the motive was always the same—to silence someone either in or out of the party who had too much information and no longer was considered a good risk.

And each assassination—whether undisguised murder or ingenious liquidation passed off as suicide or accident—served the additional purpose of warning others who knew too much of the fate that awaited them if they talked.

This picture of continuing Communist intrigue was painted for the Times yesterday by Richard E. Combs, chief counsel of the State senate committee on un-American activities, following a 2-day hearing here into the circumstances and significance of Abrams' death.

It was Combs' work on the Abrams case—which he tackled a few days after the student's body was found—that brought public disclosures this week indicating that the youth's carbon-monoxide death could not have been accidental.

Spurred by the expert testimony at the hearing, Santa Monica Police Chief Otto Falkner announced yesterday that investigation of the 8-month-old case will be reopened.

And then it goes on at great length to detail the information that this individual had concerning Communist Party activities over the past few years, and pointed out that the individual who was killed had a file that in some instances was greater than that of the FBI dealing with the subject of subversive activities.

(See exhibit No. 646, appendix, pp. 8245-8247.)

Mr. SCHERER. I ask that the whole article be incorporated in the record at the end of the testimony of Clayton VanLydegraf.

Mr. DOYLE. It is so ordered. The first witness, Mr. Arens. Pearl Castle. Kindly come forward.

Mr. DOYLE. Mrs. Castle, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. CASTLE. I do.

Mr. DOYLE. Thank you. Will you be seated, please.

**TESTIMONY OF MRS. PEARL CASTLE, ACCOMPANIED BY
COUNSEL, JAY G. SYKES**

Mrs. CASTLE. Mr. Chaiman, I would like to ask that there be no pictures, please.

Mr. DOYLE. Your request, I am sure, will be acceded to by me and by the photographers.

You are now under oath.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. CASTLE. My name is Pearl Castle. I live in Seattle, and I am a housewife.

Mr. ARENS. You are appearing today, Mrs. Castle, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. CASTLE. That is true.

Mr. ARENS. And you are represented by counsel?

Mrs. CASTLE. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. SYKES. Jay Sykes.

Mr. ARENS. Mrs. Castle, do you know a lady by the name of Barbara Hartle?

(The witness confers with her counsel.)

Mrs. CASTLE. I refuse to answer that question on the grounds of the fifth amendment, precisely because it may tend to incriminate me.

Mr. ARENS. Mrs. Hartle, would you kindly stand up.

(Mrs. Barbara Hartle arose.)

Mr. ARENS. Mrs. Castle, would you kindly look at the lady who is standing there—Barbara Hartle?

Yesterday morning Mrs. Hartle swore before this committee that she knew you as a member of the Communist Party underground conspiratorial apparatus. Was Mrs. Hartle lying or was she telling the truth?

(The witness confers with her counsel.)

Mrs. CASTLE. Is that what Mrs. Hartle said about me?

Mr. ARENS. Yes, ma'am. Was she lying or was she telling the truth?

(The witness confers with her counsel.)

Mrs. CASTLE. I don't think that is what the record shows.

Mr. ARENS. What is your recollection of the record then?

Mrs. CASTLE. I think, if you will have the reporter look it up—

Mr. ARENS. Just answer this question: Are you a member of the underground apparatus of the Communist Party?

Mrs. CASTLE. I refuse to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Are you connected with the Washington State Committee for the Protection of Foreign Born?

Mrs. CASTLE. I refuse to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. May I ask the witness: you were in the hearing room yesterday morning, were you not?

Mrs. CASTLE. Yes, sir.

Mr. DOYLE. And you heard Mrs. Hartle name you and testify about you, did you not?

Mrs. CASTLE. Yes, I did.

Mr. DOYLE. Was her testimony true or false?

Mrs. CASTLE. What she said about me was that she could not recall anything about me from her own personal knowledge.

Mr. DOYLE. No. I don't recall what she said, but that all she said that you heard?

Mrs. CASTLE. That is all I recall, sir.

Mr. SCHERER. My recollection of her testimony was, with reference to this witness—and I may be in error—that she knew from party circles rather than from her own knowledge that this witness was a member of the Communist Party.

Mr. DOYLE. Oh, I see.

Mr. SCHERER. Was the information that Mrs. Hartle got from these witnesses or these persons correct?

Mrs. CASTLE. I refuse to answer that question on the grounds of the fifth amendment.

Mr. DOYLE. No further questions.

Mr. ARENS. Mr. Chairman, just a moment, please.

Mrs. Hartle, would you kindly come forward. In view of the fact that you have been excused from your appearance here the first time, I respectfully suggest, so there will be no question, that you submit yourself now to an oath.

Would you kindly swear the witness?

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God, Mrs. Hartle?

Mrs. HARTLE. Yes, I do.

Mr. DOYLE. Take the witness chair, please.

TESTIMONY OF BARBARA HARTLE

Mr. ARENS. Mrs. Hartle, during the course of your experience in the Communist Party did you know the lady who is seated at the principal witness chair?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Did you know her as a Communist?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Did you know her as a member of the Communist underground?

Mrs. HARTLE. I knew her as a member of the Communist underground from reports of Henry Ruff to the underground State committee of which I was a member.

Mr. ARENS. And did you, before you had the information respecting her assignment to the underground, know her as a person who was in the Communist Party?

Mrs. HARTLE. Yes, I did.

TESTIMONY OF PEARL CASTLE—Resumed

Mr. ARENS. Now, ma'am, you have just heard the testimony of Mrs. Hartle, haven't you?

Mrs. CASTLE. Yes, I have heard it.

Mr. ARENS. Was she lying or was she telling the truth?

Mrs. CASTLE. I refuse to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Thank you, Mrs. Hartle, and thank you, ma'am.

The next witness, if you please, Mr. Chairman, will be Lillian Rubicz.

Mr. DOYLE. Will you please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you, God?

Mrs. RUBICZ. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF MRS. LILLIAN RUBICZ, ACCOMPANIED BY
COUNSEL, DAVID J. WILLIAMS

Mrs. RUBICZ. I would request no television, please.

Mr. DOYLE. Your request will be observed, now that you are under oath.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. RUBICZ. I am Lillian Rubicz, 110 Eighth Avenue. I am unemployed.

Mr. ARENS. Is that R-u-b-i-t-z?

Mrs. RUBICZ. No. It is c-z.

Mr. ARENS. R-u-b-i-c-z?

Mrs. RUBICZ. That is right.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. RUBICZ. Mrs.

Mr. ARENS. Are you appearing today, Mrs. Rubicz, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. RUBICZ. I am.

Mr. ARENS. Are you represented by counsel?

Mrs. RUBICZ. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. WILLIAMS. My name is David J. Williams; offices in 725 Central Building. I am chairman of the civil liberties committee of the Seattle Bar Association, and I have been assigned by the bar association to represent this witness.

Mr. DOYLE. We are glad you are here, Mr. Williams.

Mr. ARENS. Where were you last employed, Mrs. Rubicz?

Mrs. RUBICZ. I was employed for an insurance company.

Mr. ARENS. How long were you employed in the insurance company?

Mrs. RUBICZ. Ten months.

Mr. ARENS. What was your employment prior to your employment in the insurance company?

Mrs. RUBICZ. Just doing housework?

Mr. ARENS. Can you tell us about your connection with the Washington Committee for the Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. On March 6, 1954, there was a meeting of the Washington State Committee for the Protection of Foreign Born with Abner Green as guest of honor, held in Washington Hall; was there not?

Mrs. RUBICZ. I have no knowledge.

Mr. ARENS. Did you attend a meeting in March of 1954 as State secretary of the Committee for the Protection of Foreign Born?

(The witness confers with her counsel.)

Mrs. RUBICZ. I never was.

Mr. ARENS. Were you ever State secretary of the Washington Committee for the Protection of Foreign Born?

Mr. RUBICZ. I was not.

Mr. ARENS. Were you ever an officer of that organization?

Mrs. RUBICZ. I was not.

Mr. ARENS. Were you ever a member of that organization?

Mrs. RUBICZ. It is not a membership organization.

Mr. ARENS. How did you know that?

(The witness confers with her counsel.)

Mrs. RUBICZ. I will invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question. She has opened the door and walked right in.

Mr. DOYLE. I direct you to answer the question, Witness.

(The witness confers with her counsel.)

Mr. ARENS. Tell this committee how you knew that the Washington State Committee for the Protection of Foreign Born is not a membership organization.

Mrs. RUBICZ. Because it has never solicited my membership.

Mr. ARENS. How do you know it has never solicited your membership?

Mrs. RUBICZ. Well—

(The witness confers with her counsel.)

Mrs. RUBICZ. I should know, shouldn't I?

Mr. ARENS. That is what I want you to tell us, how you know about this.

(The witness confers with her counsel.)

Mrs. RUBICZ. Well, I should know, shouldn't I?

Mr. ARENS. Why should you know?

Mrs. RUBICZ. Well, I am not a dumb animal.

Mr. ARENS. Well, tell us why you should know about the nature of the affiliations of people with the Washington State Committee for the Protection of Foreign Born.

Mrs. RUBICZ. I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I will make that an instruction, Witness. But may I ask this question because I didn't hear part of your answer:

Do you mean that you were never solicited to join that committee as a member, and that is how you know that it is not a membership organization?

Mrs. RUBICZ. That is right.

Mr. DOYLE. Well, you heard my instruction to answer the question.
(The witness confers with her counsel.)

Mrs. RUBICZ. Repeat the question.

Mr. ARENS. The question is:

How did you know that the Washington State Committee for the Protection of Foreign Born is not a membership organization?

You have made that assertion. I want you to tell us why, how you know.

(The witness confers with her counsel.)

Mrs. RUBICZ. Well, I was never solicited for any membership. There are no membership cards. I was never solicited for membership.

Mr. ARENS. Well, how do you know that the organization does not have members just because you weren't solicited for membership?

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on that.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer the question, Witness.

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Do you know a man by the name of Clark Harper, If-a-r-p-e-r?

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Why?

(The witness confers with her counsel.)

Mrs. RUBICZ. I can invoke—

I invoke the fifth amendment on this.

Mr. ARENS. Why?

Mrs. RUBICZ. I invoke— For the same reasons.

Mrs. ARENS. Do you honestly feel now, if you told this committee whether or not you know Clark Harper you would be supplying information that might be used against you in a criminal proceeding?

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that last question.

Mr. DOYLE. I direct you to answer the question, Witness.

(The witness confers with her counsel.)

Mrs. RUBICZ. No.

Mr. ARENS. Then, Mr. Chairman, I respectfully suggest the witness be admonished to answer the question.

Mrs. RUBICZ. I didn't understand the question.

Mr. ARENS. We will start over again then. Do you know Clark Harper?

Mrs. RUBICZ. I invoke the fifth amendment.

Mr. ARENS. Why do you invoke the fifth amendment with reference to Clark Harper?

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Do you feel that if you told this committee whether or not you know Clark Harper you would be supplying information that could be used against you in a criminal proceeding?

(The witness confers with her counsel.)

Mrs. RUBICZ. Yes.

Mr. ARENS. Thank you. Clark Harper has advised this committee that he knew you as a member of the Communist conspiracy. Was he lying to us or was he telling the truth?

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Have you ever been a member of the staff of the Washington Committee for the Protection of Foreign Born?

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. Are you at the moment a member of the Communist Party?

(The witness confers with her counsel.)

Mrs. RUBICZ. I invoke the fifth amendment on this.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Scherer, any questions?

Mr. SCHERER. I have no questions.

Mr. DOYLE. Witness, I have one question, please.

When you answered counsel that you knew that you had never been solicited for membership in the Washington Committee for the Protection of Foreign Born, may I ask you whether or not you were ever solicited for funds, money to pay part of the costs of the Committee for the Protection of Foreign Born even though they didn't give you a card or invite you to be a member? Did you give financial support?

(The witness confers with her counsel.)

Mrs. RUBICZ. No.

Mr. DOYLE. All right. Thank you.

Mr. ARENS. John Caughlan, kindly come forward.

C-a-u-g-h-l-a-n.

Mr. DOYLE. Mr. Caughlan, please, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you, God?

Mr. CAUGHLAN. I do.

Mr. DOYLE. Thank you. Have the witness chair.

TESTIMONY OF JOHN CAUGHLAN, ACCOMPANIED BY COUNSEL, PHILIP L. BURTON

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. CAUGHLAN. My name is John Caughlan. I live in Seattle.

I don't care to give my occupation. I will give you the reasons if I may, please.

I believe that the inquiry which this committee is making has no legislative function whatsoever. In that connection, in giving you my reasons for not caring to answer the question, I call your attention to the following from the New York Times of 11-14-56, November 14—

Mr. SCHERER. I object to anything that appeared in the New York Times.

Mr. CAUGHLIN. May I complete my answer?

Mr. SCHIERER. As a reason for refusal to answer.

Mr. DOYLE. Clearly, counsel, you know the rules of the committee. And, of course, an article in the newspaper is not any sufficient reason for you. We want you to cooperate and not, please, take the time to——

Mr. CAUGHLAN. May I make this suggestion then, that this article of the New York Times—I notice that the committee has several times asked that such things be incorporated as a part of the record—that this article from the New York Times of November 14, 1956, which gives as a general statement of the committee that its purpose is to collect data for a counterattack——

Mr. ARENS. I respectfully suggest the witness now be admonished to answer the question.

What is your occupation?

Mr. CAUGHLAN. That this——

Mr. DOYLE. Please, Attorney Caughlin. Give us your cooperation. And you are welcome to plead your constitutional privilege always, of course, in good faith.

Mr. CAUGHLAN. I want to. I only want to identify the article so that it may be incorporated by reference into the record as indicated.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered to forthwith answer the question as to what his occupation is.

Mr. CAUGHLAN. Does the chairman so direct?

Mr. DOYLE. Yes, please.

Mr. CAUGHLAN. I am an attorney.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. CAUGHLAN. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mr. CAUGHLAN. I am.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. BURTON. My name is Philip L. Burton. I am a Seattle attorney.

Mr. ARENS. Where were you born, Mr. Caughlan?

Mr. CAUGHLAN. I was born in Missouri.

Mr. ARENS. Where in Missouri?

Mr. CAUGHLAN. In Nevada.

Mr. ARENS. And when?

Mr. CAUGHLAN. In 1909.

Mr. ARENS. Give us a word, please, about your education, where were you educated.

Mr. CAUGHLAN. Without waiving the same objection I previously made, but, instead of asserting it, and under protest, I will tell you that I was educated in grade school, high school and college and in law school.

Mr. ARENS. Where did you go to college?

Mr. CAUGHLAN. University of Washington, and Yale.

Mr. ARENS. And where did you go to law school?

Mr. CAUGHLAN. Harvard Law School.

Mr. ARENS. When did you graduate from Harvard?

Mr. CAUGHLAN. 1935.

Mr. ARENS. And then pick up the thread of your life, if you please, sir, right there, and tell us what was your first occupation and where after your graduation from law school.

(The witness confers with his counsel.)

Mr. CAUGHLAN. With the same general objection I previously made, I will state that ever since that time I have been engaged in the practice of law.

Mr. ARENS. And in what courts are you admitted to practice law?

Mr. CAUGHLAN. In the Supreme Court of the State of Washington, United States Supreme Court, and the Federal courts of this area.

Mr. ARENS. Have you been engaged in private practice ever since you had your admission to the bar? Or have you been employed by a corporation or firm or organization?

Mr. CAUGHLAN. With the same general objection, I will state that I have been, for the most part, engaged in private practice.

Mr. ARENS. What is the part that isn't the most part?

Mr. CAUGHLAN. I was deputy prosecuting attorney for King County for a period of time.

Mr. ARENS. Is that the county in which we are presently sitting?

Mr. CAUGHLAN. Yes, it is.

Mr. ARENS. And when were you deputy prosecuting attorney here in King County?

Mr. CAUGHLAN. I honestly don't recall the exact dates, but it was in the late thirties or early forties.

Mr. ARENS. Is that an elective position here or is that an appointive position by the prosecuting attorney himself?

Mr. CAUGHLAN. That is an appointive position.

Mr. ARENS. When did you actually first take your oath as an attorney to be admitted to practice law, and in what court?

Mr. CAUGHLAN. In 1935 or 1936. I can't recall exactly.

Mr. ARENS. That was in the State court here?

Mr. CAUGHLAN. That is right.

Mr. ARENS. At the time that you took that oath did you, in effect, swear to support and defend the Constitution of the United States against all enemies, foreign and domestic?

Mr. CAUGHLAN. I did.

Mr. ARENS. And at the time you took that oath were you a member of the Communist Party?

Mr. CAUGHLAN. I am going to decline to give any answers whatsoever concerning any past connection with the Communist Party for reasons which were fully set out and which I will refer to in just a moment, calling your attention to the fact that I was tried in this city in 1948 on the charge that I had made a false statement in stating that I was not and never had been a member of the Communist Party, and that, after a full and fair trial before a Federal judge and jury, I was acquitted of that charge.

I also, in connection with any statements about that——

I mean the purpose of this committee is to embarrass——

Mr. ARENS. Mrs. Hartle hadn't testified in 1948.

Mr. CAUGHLAN. Just a moment. I hadn't finished my answer, sir.

That in connection with that answer I was called before this same committee in 1954 and asked substantially the same question. My testimony at that time appears in a document published by this committee, part VIII, Seattle Investigation of Communist Activities,

Pacific Northwest Area, June 19, 1954, commencing on page 6565 and continuing to page 6578.

And I incorporate as my answer to the question at this time each and every statement that was made in connection with the answer to that question at that time, as though the same were fully set forth here.

And I will read it to you if you want, but I don't think anybody wants it.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be admonished to forthwith answer the question as to whether or not he was a member of the Communist Party when he was admitted to practice law in 1935.

Mr. CAUGHLAN. I have given my answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer the question. Is that the only answer you want to give?

Mr. CAUGHLAN. I have given my answer. My reasons set forth for declining to answer are precisely the same as those I gave in answer to the same question in 1954. That is my answer.

Mr. DOYLE. Do you now plead your constitutional privilege?

Mr. CAUGHLAN. This is all fully set forth in my testimony on the pages that I referred to of the record. I incorporate that, in full, here. It is there. You gentlemen know what it is.

Mr. ARENS. Were you a member of the Communist Party when you took your oath and became a lawyer in this State in 1935?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I invoke in that testimony the privileges which I felt that I had then and I feel I have now. It is the same question. I invoke each and every one of those privileges again. And that is my answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest he be ordered to answer that question without telling us to read another book.

Mr. DOYLE. This is 2 years later. It may be that this question is asked you at this time with something else in mind. We may know or we may not know or may believe we know.

I think we are entitled to ask you the question directly, Attorney.

Mr. ARENS. Were you a Communist when you took the oath as a lawyer?

Mr. CAUGHLAN. I have answered that question by stating the reasons that I am declining to answer and giving you the specific and basic grounds.

Now, if you want me to, I will now read, so there can be no misunderstanding, my full statement at that time. I would like to incorporate it in the record.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be admonished to answer this question.

Mr. SCHERER. Direct him to get the record clear.

Mr. ARENS. Do you honestly apprehend that if you gave us a truthful and full answer as to whether or not you were a member of the Communist Party when you took the oath as a lawyer you would be supplying information that might be used against you in a criminal proceeding?

Mr. CAUGHLAN. I apprehend that this committee would do everything in its power to get me in trouble.

And, so, the answer is I certainly do apprehend that you would endeavor in every way, if I answer that question, to bring forth the same type of witnesses that were brought before this jury, and maybe others that you have got in your control at the present time, and attempt the same thing all over again. So I certainly apprehend.

Mr. ARENS. Mrs. Hartle, would you please stand up?

(Mrs. Barbara Hartle arose.)

TESTIMONY OF BARBARA HARTLE—Resumed

Mr. ARENS. Mrs. Hartle, you have been sworn just a few moments ago.

Do you see this man sitting in the witness chair?

Mrs. HARTLE. Yes.

Mr. ARENS. When you were in the Communist Party did you know him as a Communist?

Mrs. HARTLE. Yes; I did.

Mr. ARENS. Do you swear now, to a certainty, that John Caughlan, sitting in the witness chair, was a member of the Communist conspiratorial apparatus?

Mrs. HARTLE. I do.

TESTIMONY OF JOHN CAUGHLAN—Resumed

Mr. ARENS. Now, Mr. Caughlan, you have heard the testimony of Mrs. Hartle; have you not?

Mr. CAUGHLAN. That is not testimony. That is a hearsay statement. She is not under oath and she is not subject—she is under oath but not subject to cross-examination.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be admonished to answer this question: Was she lying or was she telling the truth when she was under oath?

Mr. CAUGHLAN. So far as I am concerned, in my opinion, the truth is not in that witness. I have cross-examined her at length. I have cross-examined her at length, and I would be glad to do so again if this committee wishes to give me the privilege.

Mr. ARENS. While you are under oath tell this committee was she lying or telling the truth when she said she knew you as a Communist?

Just answer that simple question while you are under oath.

(The witness confers with his counsel.)

Mr. CAUGHLAN. I invoke each and every one of the grounds I have already invoked.

Mr. SCHERER. Wait a minute. The record is not clear.

I ask that you direct the witness to answer the question because he has not invoked the privilege of the fifth amendment. He has referred to his previous testimony. He has been very clever about it. Let's get the record straight.

Mr. DOYLE. May I make it clear, Witness, we are not accepting your reference to the answers you gave in any other hearing or any other occasion as sufficient answer to that question. And, therefore, I instruct you to answer that last question.

Mr. CAUGHLAN. This committee is fully aware of the decision of the United States Supreme Court in *Quinn* against the United States.

Mr. SCHERER. Let's go to the next question.

Mr. CAUGHLAN. In which a witness before this committee did precisely what I am doing and incorporated each and every part of testimony taken before the committee.

I do the same here, and I stand on that, and I decline for the reasons previously given to answer the question of this committee other than to stand on the grounds that I have already stated.

Mr. ARENS. The record is clear on your position and the admonition on the record.

Mr. SCHERER. Just one minute. I have a question here.

Witness, you say you were acquitted on the charge of being a Communist. Did you want to leave that impression here with this committee? (The witness confers with his counsel.)

Mr. CAUGHLAN. I was charged, sir, with having made a false statement under oath when I testified in the United States district court that I was not—and this was long after 1935—that I was not and never had been a member of the Communist Party. That charge was fully aired at that time, and the verdict of the jury and the judgment of the court stands on that. And I do not intend to open it up. For this committee—

Mr. ARENS. You just have opened it up.

Mr. CAUGHLAN. To bring out Mrs. Hartle or some other blunted tool and try the thing all over again—

Mr. SCHERER. Just one more question.

The fact is, Witness, that that case was decided on the fact that the question asked you was not material, and there was no finding as to whether or not you lied. It was merely decided by the court in that case that the question asked you, namely, whether you were a member of the Communist Party, was not material. Isn't that a fact?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I would say it wasn't a fact.

Mr. ARENS. Now that you have opened this question up with this little proceeding, at the time of the proceeding were you a Communist?

Mr. CAUGHLAN. I have answered the question by declining to answer.

Mr. ARENS. Answer it again.

Mr. CAUGHLAN. By declining to answer it. I stand on the grounds previously stated.

Mr. SCHERER. The question in your trial was not decided as to whether you had lied or not. Wasn't it decided on the basis that the question asked you was not material? Isn't that a fact?

Mr. CAUGHLAN. Well, I can't see, sir, how you are serving any legislative purpose whatsoever by exploring the details of legal issues in this trial. And I don't believe you are. I think you are trying to bait me into some kind of an answer.

Mr. SCHERER. You raised it.

Mr. CAUGHLAN. No. I beg your pardon.

Mr. SCHERER. Just a minute.

You raised the question about your trial. We didn't raise it. You raised it. You said you had been acquitted of being a Communist, acquitted of the charge of perjury. You raised that question. I didn't.

I just wanted to clarify this record on what actually happened in that case. They never cleared you of being a Communist, or never decided the issue as to whether you lied or not.

Mr. CAUGHLAN. I think you are mistaken, sir.

Mr. SCHERER. All right.

Mr. CAUGHLAN. But that is your opinion, and I have my opinion.

Mr. SCHERER. We will let the record stand.

Mr. ARENS. Do you know a man, other than in the capacity of attorney and client, by the name of John Daschbach?

Mr. CAUGHLAN. John Daschbach is a client of mine.

Mr. ARENS. I say do you know him in any capacity other than the capacity of attorney and client?

Mr. CAUGHLAN. I understood your question, and I am going to answer it. I know Mr. Daschbach, and he is and has been for a long time a client of mine.

My communications with him, so far as I recall, have been in that relationship of attorney and client. But if there have been any occasions, as implied by your questions that there have been, in which I have had any contact with him other than in that relationship—if, and I don't believe there are, but there may be—if there are, then I invoke, in regard to any relationship that may exist or may have existed between him and me, all the privileges that I am afforded under the first amendment, the fifth amendment, the ninth and tenth amendments, and I don't believe your inquiry has any conceivable legislative basis.

Mr. ARENS. Now let's see if we can refresh your recollection a little bit. You said a few moments ago you didn't believe you had been associated with him except as attorney and client.

On March 6, 1954, there was a meeting at the Washington Hall sponsored by the Washington State Committee for the Protection of Foreign Born, all in honor of Abner Green, executive secretary of the American Committee for Protection of Foreign Born.

Do you remember that occasion?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I don't specifically, but I wouldn't doubt there has been such an occasion.

Mr. ARENS. Were you in attendance at that session?

Mr. CAUGHLAN. I don't recall, but I may well have been.

Mr. ARENS. Do you recall being in attendance at some sessions or dinner meetings of the Washington Committee for the Protection of Foreign Born here in Seattle?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I will have to ask you to repeat the question.

Mr. ARENS. Do you recall being in attendance at a session of the Washington Committee for the Protection of Foreign Born in March 1954, in which Abner Green was the guest of honor?

Mr. CAUGHLAN. I don't recall being at that particular session, but I may well have been at a meeting called by the Washington Committee for the Protection of Foreign Born for the purpose of speaking and discussing certain matters that I thought might be of interest to the public or to the committee.

Mr. ARENS. Do you have a recollection of more than one such occasion?

Mr. CAUGHLAN. Oh, I think so.

Mr. ARENS. And how many do you recall having attended and spoken in?

Mr. CAUGHLAN. I have no idea.

Mr. ARENS. Well, would you have attended as many as six?

Mr. CAUGHLAN. Possibly.

Mr. ARENS. Would you have attended as many as 12?

Mr. CAUGHLAN. I very seriously doubt it.

Mr. ARENS. Well, would you have attended as many as eight?

Mr. CAUGHLAN. I have no recollection. And if you would say three-dozen I can't help you out any more than I am.

Mr. ARENS. Could you have attended more than one, do you believe?

Mr. CAUGHLAN. If I am invited to express my views or opinions on any matter that is of interest to me, and I want to do it, I do it.

Mr. ARENS. Of course, you do. And we want you to do that.

Mr. CAUGHLAN. I doubt that.

Mr. ARENS. And you just tell us if you recall attending more than one session of the Washington State Committee for the Protection of Foreign Born.

Mr. CAUGHLAN. I have already answered that question.

Mr. ARENS. Answer it again.

Mr. CAUGHLAN. I said my recollection is I have attended several meetings. And they may well have been——

Mr. ARENS. Of what organization?

Mr. CAUGHLAN. Well have been under the sponsorship of the Washington Committee for the Protection of Foreign Born, in which I have spoken on various cases involving the foreign born which I have handled——

Mr. ARENS. And have you recalled——

Mr. CAUGHLAN. Just a moment.

Mr. ARENS. Go right ahead.

Mr. CAUGHLAN. Which I have handled.

And I have no doubt that I have expressed my views at those meetings on various aspects of legislation relating to the foreign born.

If I speak publicly on that subject I very frequently do that.

Mr. ARENS. And did you speak publicly on this subject in the course of the last year?

Mr. CAUGHLAN. Oh, I feel quite confident I have.

Mr. ARENS. And did you, in the course of the last year, speak before the Washington Committee for the Protection of Foreign Born?

Mr. CAUGHLAN. I think so.

Mr. ARENS. How many times did you speak before the Washington Committee for Protection of Foreign Born in the course of the last year.

Mr. CAUGHLAN. Very few.

Mr. ARENS. Would you say you spoke more than once?

Mr. CAUGHLAN. I don't think that is any of your business.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. DOYLE. I so direct you, Witness. I think it is a reasonable question.

Mr. CAUGHLAN. Well, my public expression of my views on legal cases or on the wisdom or unwisdom of pending legislation can't possibly be of any assistance to anybody in Congress or anywhere else.

Mr. ARENS. Do you think it might be of interest to the House Committee on Un-American Activities to know what the Communists are doing to subvert the anti-Communist legislation? Do you think that might be of some conceivable interest to this committee?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I really wouldn't know.

Mr. ARENS. I have a report here about one of your speeches in which the subject matter was a little different from that which you have been telling us about.

It is a meeting, March 12, 1955, under the auspices of the Washington State Committee for the Protection of Foreign Born, in which you made a little speech on paid informers. Do you recall that speech?

(The witness confers with his counsel.)

Mr. ARENS. Do you remember the speech you made on paid informers before the Washington Committee for the Protection of Foreign Born?

Mr. CAUGHLAN. Not offhand. But I may well have made such a speech.

Mr. ARENS. And do you remember any of these sessions in which the principal speaker was Abner Green?

Mr. CAUGHLAN. I think I have spoken at places where Abner Green has spoken.

Mr. ARENS. And where was that? Where is your recollection?

Mr. CAUGHLAN. I don't recall offhand.

Mr. ARENS. Would that be in Seattle?

Mr. CAUGHLAN. Most likely.

Mr. ARENS. And under the auspices of what organization do you recall speaking on the platform with Abner Green?

Mr. CAUGHLAN. No, I have no recollection. But if you have some information that it was under the auspices of the Washington committee, it probably was.

Mr. ARENS. Do you know Abner Green?

Mr. CAUGHLAN. I certainly do.

Mr. ARENS. How long have you know him?

Mr. CAUGHLAN. Oh, a number of years. I can't say exactly how long. I have the highest respect for the gentleman.

Mr. ARENS. Do you know he has been identified repeatedly as a hard-core agent of the international Communist conspiracy by witnesses under oath who were not paid informers?

Mr. CAUGHLAN. I have heard you make that assertion a few times, but I have no knowledge of that.

Mr. ARENS. You do not know that Abner Green is a Communist?

(The witness confers with his counsel.)

Mr. CAUGHLAN. No.

Mr. ARENS. Do you know with what organization he is connected?

Mr. CAUGHLAN. My understanding he is connected with the American Committee for the Protection of Foreign Born.

Mr. ARENS. And in what capacity is he connected with the American Committee for the Protection of Foreign Born?

Mr. CAUGHLAN. I think he is executive director or something like that. I think he is one of the best-informed people in the United States on the operation of the Walter-McCarran Act and, in particular, on the various court tests and court proceedings which have in-

volved that act and which have involved issues arising under that and the Internal Security Act, and other matters involving and relating to the foreign born.

Mr. ARENS. The Smith Act?

Mr. CAUGHLAN. I don't know anything about his knowledge of the Smith Act. I suppose he has it. He probably does.

Mr. ARENS. Are there any particular provisions of the Immigration and Nationality Act on which he has specialized?

Mr. CAUGHLAN. Well, I have no knowledge as to what he specialized in. His position is one that I would think would bring him into a good deal of contact with all phases of that act, and I daresay he is pretty familiar with all of them.

Mr. ARENS. How many times, to your knowledge, in the course of the last 2 or 3 years has Abner Green been in this community?

Mr. CAUGHLAN. I really couldn't say. I think I probably talked to Mr. Green 3 or 4 times.

Mr. ARENS. In the course of what period of time?

Mr. CAUGHLAN. If you are talking about the last 2 years, say twice.

Mr. ARENS. Yes.

Mr. CAUGHLAN. Say once each year. Maybe it was more than that; I don't know.

Mr. ARENS. You mean you talked with him on a platform or engaged in personal conversation?

Mr. CAUGHLAN. No, no. I mean engaged in conversation with Mr. Green in regard to matters in which he might give me valuable information.

Mr. ARENS. That would be on matters relating to people who were up for deportation?

Mr. CAUGHLAN. That is right.

Mr. ARENS. And with what type of people does he specialize?

Mr. CAUGHLAN. I believe Mr. Green—

I beg your pardon. Excuse me just a moment.

(The witness confers with his counsel.)

Mr. CAUGHLAN. I believe Mr. Green's interest in the foreign born and in aliens and naturalized citizens of foreign birth is general. I don't think there is—I don't think he has any specialty. He may have, but I don't know it. My interest in discussion with him has certainly been of a general character.

Mr. ARENS. Do you know of his relationship to the officers of the Washington Committee for the Protection of Foreign Born?

(The witness confers with his counsel.)

Mr. CAUGHLAN. No, I really don't.

Mr. ARENS. Do you know Harriet Baron?

Mr. CAUGHLAN. No, I don't believe I do.

Mr. ARENS. Do you know Pettis Perry?

Mr. CAUGHLAN. No, I don't believe I do.

(The witness confers with his counsel.)

Mr. ARENS. Can you help us? Who are the officers of the Washington State Committee for the Protection of Foreign Born?

Mr. CAUGHLAN. I am afraid I can't—

Mr. ARENS. You have been around to some of their meetings.

Mr. CAUGHLAN. I am afraid I can't discuss that with you. My knowledge of any dealings of the organization involve an attorney-client relationship.

And I will say this, that, if you are really interested in knowing it, I think it is a matter of public record.

I think it has been referred to here before the committee in connection with the pleadings that were filed in the United States district court.

Mr. SCHERER. Then that isn't confidential on your part.

Mr. CAUGHLAN. What has been told to me is confidential. What is in the public record isn't.

Mr. SCHERER. Just a minute. He asked you whether you know who the officers are.

Mr. ARENS. Who is the president?

Mr. SCHERER. Just a minute now, counsel.

And just 2 days ago you were the attorney——

By the way, did you draw that petition that was filed in the Federal court 2 days ago?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I can tell you what appears in that file. I can't tell you anything more. Anything more would involve——

Mr. SCHERER. That is what I was driving at. It is no longer a confidential relationship.

Mr. CAUGHLAN. Incidentally, there are a half dozen questions that have been fired at me here.

Mr. SCHERER. No, there are not. There are no questions that have been fired at you now. I am asking you some questions.

Mr. CAUGHLAN. Is the counsel's question withdrawn then?

Mr. ARENS. No.

Mr. SCHERER. No.

Mr. CAUGHLAN. Then which one am I supposed to answer?

Mr. SCHERER. The first one.

Mr. CAUGHLAN. Could I ask the reporter, please, to read back the question which I am supposed to answer.

Mr. SCHERER. Let's just go right from here on.

My question is: Did you draft the complaint that was filed by the officers of the Committee for the Protection of Foreign Born that was filed 2 days ago against this committee?

Mr. CAUGHLAN. I assisted in drafting it along with cocounsel.

Mr. SCHERER. Who were the other cocounsel?

Mr. CAUGHLAN. Chief counsel was Mr. Burton.

Mr. SCHERER. That is your counsel seated there?

Mr. CAUGHLAN. Yes. That is Mr. Burton right here.

Mr. JAY SYKES. And then, appearing pro hac vice, h-a-c v-i-c-e, for the American Civil Liberties Union, were Paul D. Jackson and Francis Hoague. And then there were others who assisted with advice who I don't think appeared of record.

Mr. SCHERER. In that petition, which was partially prepared by you, you specifically state that the plaintiffs in that action were members of the Washington Committee for the Protection of Foreign Born.

How can you claim that that is a confidential relationship between attorney and client?

Mr. CAUGHLAN. I don't. I said anything that is in that complaint I can tell you; anything further than that I can't.

Mr. SCHERER. You refused to answer the question when Mr. Arens asked you that question. Who are the officers?

Mr. CAUGHLAN. I am unaware of refusing to answer any question. If you will please call my attention to it I will endeavor to answer it right now.

Mr. SCHERER. Who are the officers of the Committee for the Protection of Foreign Born?

Mr. CAUGHLAN. According to the complaint——

Mr. SCHERER. Not according to the complaint; according to your knowledge.

Mr. CAUGHLAN. According to information which I am able to give you and which is alleged in the complaint, the chairman is Reverend John W. Caughlan.

Mr. SCHERER. That is your father?

Mr. CAUGHLAN. That is correct. The executive secretary is Marion Kinney.

The other—just a moment. I will refresh my recollection.

(The witness refers to document.)

Mr. CAUGHLAN. Louise Hatten, Cecelia Corr, and Clara Paulson.

Mr. SCHERER. How many of those persons, to your certain knowledge, are members of the Communist Party?

(The witness confers with his counsel.)

Mr. CAUGHLAN. Any information that I might have other than appears in this complaint—and I am not suggesting in my answer that, to my knowledge, any of these people are—but any information I might have concerning their affiliations or political views or anything of that sort are based entirely upon confidential communications which I cannot discuss with the committee.

Mr. SCHERER. Did these plaintiffs whom you represent confidentially advise you that Mr. Doyle and I were residents of King County, Wash., the State of Washington?

(The witness confers with his counsel.)

Mr. CAUGHLAN. No.

I think we ought to read the entire paragraph of that complaint so we will have clearly before us what the allegation is.

Mr. SCHERER. I am not asking you to read it. I am asking you to advise us and to answer the question.

Mr. CAUGHLAN. Obviously I wouldn't be in a position to state to you what my clients advise in confidence. And you, as an attorney, are fully aware of that. But I think, if you will read the full allegation of the complaint——

Mr. SCHERER. I read it.

Mr. CAUGHLIN. And I might go ahead and add that is the opinion of counsel.

Mr. SCHERER. Just answer the question whether they told you that we were residents of the State of Washington. That is the question.

(The witness confers with his counsel.)

Mr. CAUGHLAN. Well, anything that my clients told me, as I say, is something that is in the nature of confidential communication.

But I was going to add that it is the legal opinion of counsel preparing this case that, for the purposes of this action and of this hearing—because it is our view that this committee is completely exceeding any pretense of a legislative function in being here—that, for that reason, the committee can't really represent the Congress of the United States, and that, for the purposes of this hearing, they are residents

of the State of Washington, here for the purpose of conducting this hearing.

Mr. SCHERER. What law school did you say you graduated from?

Mr. CAUGHLAN. I have already answered that question.

Mr. SCHERER. Did they teach you that at Harvard? Any lawyer in this room would know differently than that.

Mr. CAUGHLAN. That isn't just my opinion.

Mr. SCHERER. All right. Go ahead.

Mr. ARENS. Now in this complaint, which was filed partially at your instigation or at least by you as one of the counsel, assertion is made that the Washington Committee for the Protection of Foreign Born solicits and receives funds. That is in the complaint, is it not?

Mr. CAUGHLAN. Yes, it is.

Mr. ARENS. Do you have information respecting the amounts of the funds that the Washington Committee for the Protection of Foreign Born has solicited and has received from the people of this area?

Mr. CAUGHLAN. I am not at liberty to disclose any information that I may have about that, sir.

Mr. ARENS. Do you have such information?

Mr. CAUGHLAN. I am not at liberty to disclose that. Anything that I may have in regard to those matters are matters that are confidential between my client and me. And I am simply not in a position to discuss that with this committee at all.

Mr. ARENS. Were you a candidate for the State legislature in 1948? (The witness confers with his counsel.)

Mr. CAUGHLAN. I have been a candidate three times. It might be—unsuccessfully. I might add.

It may be that that was one of the dates. I have forgotten.

Mr. ARENS. And for what offices have you been a candidate?

Mr. CAUGHLAN. It has always been, my candidacy for public office has always been for the State legislature.

Mr. ARENS. Did you at any time in your candidacy make known to the citizenry here in this community your affiliation with any organization which is controlled by a foreign power?

(The witness confers with his counsel.)

Mr. CAUGHLAN. My counsel advises me that that is a loaded and leading question.

Mr. ARENS. We will back up and start over. You didn't run for public office on the Communist Party slate, did you?

Mr. CAUGHLAN. I certainly did not.

Mr. ARENS. And when you ran for public office on the slate of one of the major political parties were you at that time, in truth and in fact, a member of another organization which frequently bears the label of a political party?

(The witness confers with his counsel.)

Mr. CAUGHLAN. I was a candidate on the Democratic Party ticket.

Mr. ARENS. Were you at the time you were candidate on the Democratic Party ticket, at that very time, a member of another organization which bears the label of a political party?

(The witness confers with his counsel.)

Mr. CAUGHLAN. Well, my counsel advises me that what you are trying to do here is to work out something so you can repeat this Com-

munist question that I have already said I would decline to answer, having given you the reasons. So I have no further comment to make on that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if that is the reason, and unless he invokes the fifth amendment, he be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question, Witness.

Mr. CAUGHLIN. What is the question?

Mr. ARENS. The question is:

While you were holding yourself forth as a candidate on the Democratic ticket were you a member of the Communist Party?

(The witness confers with his counsel.)

Mr. CAUGHLIN. That is what I thought you were getting at, although you didn't say that before.

Mr. ARENS. Of course.

Mr. CAUGHLIN. I said I thought that is what you are getting at.

Mr. ARENS. Tell us, please.

Mr. CAUGHLIN. The answer to that is the same as when you asked the question directly. By going around the bush you are asking it directly. I am not going to—it won't assist us any. I am not going to answer that question for the reasons that I have already fully stated when the question was asked me directly before.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct the witness again to answer that question.

Mr. CAUGHLIN. I stand on my previous answer, including the detailed statement of this matter which I have referred to and which I am prepared to quote in full, namely, the invocation of the various privileges that I made in connection with my 1948 testimony—1954 testimony, which included the first, fifth, tenth and ninth amendments and various other things, and particularly—

Mr. ARENS. Are you at this moment a member of the Communist conspiracy?

Mr. CAUGHLIN. Well, I am not, never have been a member of any conspiracy. But—

Mr. ARENS. Are you at this moment a member of the Communist Party?

Mr. CAUGHLIN. No, sir.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. CAUGHLIN. That is the same question all over again. I told you I wasn't going to—

Mr. ARENS. Well, we will go at it the hard way.

Mr. CAUGHLIN. If you ask me was I a member yesterday, the day before or anything else—

Mr. ARENS. We are going down the line.

Mr. CAUGHLIN. My answer is the same. I have already indicated I will not, for the reasons, fully stated—

Mr. ARENS. We understand. Let's do it so we get the record straight, as the lawyers say. Are you a member of the Communist Party today?

Mr. CAUGHLIN. I have already answered the question.

Mr. ARENS. Were you a member of the Communist Party yesterday?

Mr. CAUGHLIN. The same answer I have already given. I won't discuss that in any manner whatsoever.

Mr. SCHERER. I ask that you direct the witness to answer counsel's question whether he was a member of the party yesterday.

Mr. DOYLE. I direct you to answer.

Mr. CAUGHLAN. On the grounds previously stated I decline to answer.

Mr. ARENS. Have you resigned technical membership in the Communist Party so that you could take an oath today and swear that you are not today a technical member of the Communist Party?

Mr. CAUGHLAN. I suppose that appears to be a very clever question, but it is the same one. Any way you put it, it is going to be the same one. My answer is going to be the same.

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you to answer the question.

Mr. CAUGHLAN. My answer is I decline to answer on each and all the grounds previously stated. My answer will be that no matter how many different ways you ask me.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. CAUGHLAN. Of course not.

Mr. ARENS. Were you under Communist Party discipline yesterday?

Mr. CAUGHLAN. I have never been under anybody's discipline. I act on my own basis, of my own judgment, and always have.

But if this is a roundabout way of going back into this question of whether I ever was a member of the Communist—

Mr. ARENS. You want to talk about everything under the sun except communism. Have you been under Communist Party discipline at any time since you were served with a subpoena to appear before this committee?

Mr. CAUGHLAN. I haven't answered your question. I said that I have never been under anybody's discipline except my own.

(The witness confers with his counsel.)

Mr. CAUGHLAN. And my father's when I was a youngster.

But if this is a means of asking me whether I was in some past time a member of the Communist Party, on all the grounds previously stated I decline to answer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. CAUGHLAN. For the reasons stated already.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. No questions, Mr. Coughlan.

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Milford A. Sutherland, S-u-t-h-e-r-l-a-n-d. M-i-l-f-o-r-d.

Mr. DOYLE. I think before that witness is sworn, if you will pardon me a minute, the case of Quinn versus United States of America was referred to, and I now have the full decision here.

I want to read one paragraph as long as the last witness referred to this case, page 5 thereof:

There can be no doubt as to the power of Congress, by itself or through its committees, to investigate matters and conditions relating to contemplated legislation. This power, deeply rooted in American and English institutions, is indeed coextensive with the power to legislate. Without the power to investigate—including, of course, the authority to compel testimony, either through its own processes or through judicial trial—Congress could be seriously handicapped in its efforts to exercise its constitutional functions wisely and effectively.

End of quote.

Now, Witness and Counsel, please.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SUTHERLAND. I do.

Mr. DOYLE. Please take a seat.

**TESTIMONY OF MILFORD A. SUTHERLAND, ACCOMPANIED BY
COUNSEL, DAVID O. HAMLIN**

Mr. SUTHERLAND. I would like to request that there be no cameras and pictures during the interrogation, without any disrespect to the press.

Mr. DOYLE. The press is always very cooperative, and they heard your request.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SUTHERLAND. My name is Milford Sutherland, M-i-l-f-o-r-d S-u-t-h-e-r-l-a-n-d. My address is 702 North Fourth in Tacoma, Wash. And, as to the last part of that question, I decline to answer for the following reasons:

Now, in the first place, I think that this is not a genuine hearing directed at legislation, toward a proper legislative purpose because the committee has already come to its conclusions as indicated and enumerated in the opening remarks of the committee chairman.

Mr. DOYLE. Now, Witness, it so happens that a Federal judge, yesterday, made a finding in court in this very case, according to the newspapers, that this committee was here on a legal purpose.

So don't take the time, please, of the committee now in arguing that it is not here on a legal purpose. If you are going to plead your constitutional privilege in good faith, then do it. But don't try to make this hearing a forum, please. We don't have time for that. Just go ahead and plead your constitutional privilege, whatever it is.

Mr. SUTHERLAND. Sir, my constitutional privilege is, in the first place, that this committee is transgressing the first amendment. And it is transgressing the rights of the people to influence legislation and Congress. And, as such, I claim the privilege of the first amendment.

Mr. ARENS. Would you hesitate there. Have we transgressed any of your activities undertaking to influence legislation? Could you tell us that?

Mr. SUTHERLAND. There is certainly the very——

(The witness confers with his counsel.)

Mr. ARENS. Go right ahead. You can consult your counsel, and counsel is not to lead you there.

Tell us, have we transgressed on any of your activities, legislative-wise?

Mr. SUTHERLAND. On advice of counsel, this appears to be a leading question, and I therefore claim the privilege of the——

Mr. ARENS. There is no relationship between a leading question and the privilege. You know that.

Mr. SUTHERLAND. I claim the privilege of the fifth amendment in this regard. But, further, I would like to——

Mr. ARENS. Then we have transgressed on activities of yours which, if you told us about them, would lead to criminal prosecution; is that right?

Mr. SUTHERLAND. Sir, I would like to—I was stating my objections to a previous question.

Mr. ARENS. You go right ahead. Your objections now are to what your occupation is.

Mr. SUTHERLAND. And I would like to continue.

Mr. ARENS. All right, go ahead.

Mr. SUTHERLAND. Now I believe that my rights under the fifth amendment are involved here both with respect to due process of law and also with respect to the rights not to testify against myself.

I believe, further, that the eighth amendment is involved in this case because I think that today in America the activities and nature of this committee constitute a form of cruel and unusual punishment to a large number of citizens.

Mr. SCHERER. I would love to hear this.

Mr. DOYLE. I will not permit you to attack the committee that way. It is untrue. It is not a defense to the question. It is not an answer to the question. And I am not going to permit you to give that tirade in this hearing on that sort of bunkum. Go ahead and plead your constitutional privileges.

Mr. SUTHERLAND. I am in the process of it. I am not attacking the committee.

Mr. DOYLE. You are, and I won't permit you.

Mr. SUTHERLAND. I am speaking of the results of these hearings.

Mr. DOYLE. You might just as well know that, Witness. You are through making a platform of this committee. Plead your defenses if you want to.

Mr. SUTHERLAND. I am further calling upon my rights and the rights of the American people under the ninth amendment of the Constitution which says, in effect, that all powers which are not delegated to Congress remain with the people. Or—I wish to correct myself.

The ninth amendment says that, in effect, the Bill of Rights, in listing a number of rights for the American people, does not, by that means, limit further rights or deny further rights of the people.

And it is the 10th amendment which states, as I had earlier said, that these powers so enumerated and not specifically given to Congress remain with the people.

And I think it is appropriate in this connection to note that tomorrow is Bill of Rights Day, the anniversary of the Bill of Rights.

Mr. DOYLE. Yes; we are quite aware of that.

Mr. SUTHERLAND. Finally, let me state in furtherance of my constitutional reasons, sir, that, in addition to all of the specific articles which I have cited here, I wish to stand on the Bill of Rights as a whole, its aims and intent and purpose; namely, a spirit of jealous defense of the rights of the people.

Mr. DOYLE. No, Witness. I am not going to permit you to make a speech on the Bill of Rights.

Mr. SUTHERLAND. Sir, this is not a speech. That is——

Mr. DOYLE. Never mind. I heard what you said.

Mr. SUTHERLAND. This is a question. I am standing on the Bill of Rights as a whole.

Mr. ARENS. He has already invoked the fifth amendment, Mr. Chairman. I think it is sufficient invocation to the question.

You are represented by counsel today; are you?

Mr. SUTHERLAND. Allow me to finish.

Mr. ARENS. Are you represented by counsel?

Mr. DOYLE. Do not make a speech.

Mr. SUTHERLAND. Allow me to make one more sentence to finish the sentence I was on.

Mr. DOYLE. Go ahead. Make it a short sentence.

Mr. SUTHERLAND. You see, in the language of the street, the Bill of Rights is to keep people from being pushed around by officeholders who are exceeding their authority. I think this committee——

Mr. DOYLE. Thank you very much.

Mr. ARENS. You are represented by counsel today?

Mr. SUTHERLAND. I am represented.

Mr. ARENS. Counsel, would you kindly identify yourself.

Mr. HAMLIN. My name is David Hamlin. I am a member of the board of trustees of the Seattle Bar Association, and was assigned to assist this witness today.

Mr. ARENS. I want to read to you now, Mr. Witness, a little language. You have been reading us the Constitution. I want to read you a little language.

This is from the Communist Manifesto:

The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forceful overthrow of all existing social conditions.

Do you subscribe to that doctrine?

Mr. SUTHERLAND. I decline to answer.

Mr. ARENS. Now, with reference to your legislative activities, you said a while ago we were impeding your legislative activities. I want to be sure that you make your point clear as to what we are impeding.

I have here a coalition document entitled "Coalition for Freedom and Democracy," a report of the Washington State Committee of the Communist Party, November 1955, in which Lenin is quoted and Marx and Engels, on how the Communists are going to proceed legally or illegally to establish the dictatorship of the proletariat.

(See exhibit No. 614, appendix, pp. 8186-8203.)

Mr. ARENS. In the course of this voluminous document we see the comrades called upon to work vigorously, legally or illegally, surreptitiously or otherwise, to repeal the Immigration and Nationality Act, to repeal the Smith Act, the Internal Security Act, and other anti-Communist legislation.

Take a look at that document and see if this is a legislative program that this Committee on Un-American Activities of the United States Congress is impeding. Tell us that now while you are under oath.

(The witness examines document.)

Mr. SUTHERLAND. Sir, I think the asking of this question establishes proof of the necessity of my taking my rights under the first amendment, that this committee is going beyond its legislative purpose and is transgressing on the right to influence the bills before Congress. And, therefore——

Mr. ARENS. No, no. We want to know whether that is your program. This is a congressional committee. Tell us, Is that your

program? We are not trying to impede you. We want you to speak up and tell us. Is that your program?

Mr. SUTHERLAND. And, therefore, I invoke the rights under the first amendment and all my other constitutional rights.

Mr. ARENS. Are you now a member of a conspiracy designed to destroy the Constitution?

(The witness confers with his counsel.)

Mr. SUTHERLAND. That is really a loaded question, and I invoke my constitutional rights, including the fifth amendment.

Mr. ARENS. I want to invite your attention to a publication, the Communist Daily Peoples World, an article appearing under date of February 1956, in which you are identified in this publication as the organizational secretary of the Communist Party.

This was public property. Anybody could read this, pick it up on a street corner.

Look at this article and tell us now whether or not that publication defamed you or if it told the truth.

(The witness examines document.)

Mr. ARENS. That is the Washington State Communist Party.

Mr. SUTHERLAND. I decline to answer for the same reasons.

Mr. ARENS. Now you were emphasizing Bill of Rights Day, which is tomorrow.

I have here an article from the Daily Peoples World of April 27, 1956, with reference to your participation in a May Day affair in which there was a panel discussion by the Washington State Communist Party.

Look at that while I ask you a couple of questions.

First of all, in that panel discussion were you then talking about preserving the Bill of Rights?

(The witness examines document.)

Mr. SUTHERLAND. I decline to answer that question.

Mr. ARENS. The fact is that you were engaged there in a conspiratorial operation to undermine and destroy this Government, were you not?

Mr. SUTHERLAND. You are asking a question?

Mr. ARENS. Yes, sir. And answer the question while you are under oath.

Mr. SUTHERLAND. It is not clear what the question is. There seems to be doubt.

Mr. ARENS. You were engaged there in a conspiratorial operation as recounted in that exhibit which was just displayed to you. Is that not true?

Mr. SUTHERLAND. I decline to answer.

Mr. ARENS. Do you know a lady by the name of Hartle, Barbara Hartle?

(The witness confers with his counsel.)

Mr. SUTHERLAND. I decline to answer on the basis——

Mr. ARENS. Mrs. Hartle, would you kindly stand up.

Mr. SUTHERLAND. I have a question here. Is it sufficient for me to say I decline to answer? Or do I need to state——

Mr. ARENS. We want to know whether or not your declination is based upon an honest fear under the fifth amendment that if you did

give us a truthful answer while you are under oath you would be supplying information that could be used against you in a criminal proceeding.

Mr. SUTHERLAND. Now, as I understand it, the question before me is whether or not I know somebody or other.

Mr. ARENS. Yes. Do you know Barbara Hartle?

Mr. SUTHERLAND. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Mrs. Hartle, may I trouble you to stand up for this last witness?

(Mrs. Barbara Hartle arose.)

Mr. ARENS. Witness, look to the right at that lady standing there, please.

She testified yesterday under oath that while she was in the Communist Party she knew you as a Communist. Was she lying or was she telling the truth?

Mr. SUTHERLAND. I wonder if the witness would come around where I can see her.

Mr. ARENS. I don't think we ought to permit this sort of theatrics here by this man who has been identified repeatedly as a Communist. Was this woman lying or was she telling the truth?

Mr. SUTHERLAND. If you do not wish to accede to that, then—
Just a moment.

(The witness confers with his counsel.)

Mr. SUTHERLAND. I decline to answer this question on the basis of the fifth amendment, and, in saying that, where there were two other instances I did not mention the fifth previously here a couple of questions ago, I want to make it clear that—

Mr. ARENS. You want to back up now and invoke the fifth amendment so that the record is clear that if you did give us a truthful answer you would be giving information that could be used against you in a criminal proceeding. Is that correct?

(There was no response.)

Mr. ARENS. Is that correct?

(There was no response.)

Mr. ARENS. Witness, answer the question. Is that correct?

(There was no response.)

Mr. ARENS. It will be your last opportunity to clear the record.

Is that correct?

Mr. SUTHERLAND. Just a moment.

(The witness confers with his counsel.)

Mr. SUTHERLAND. Sir, all I wish to do at this point is to put in the record that on those two questions where I declined and failed to state a reason—I believe perhaps you were rushing on to the next question—that I wanted to state for the record that there were reasons for that declination in those two instances, and that reason was the fifth amendment.

Mr. ARENS. Are you presently connected with the Washington State Committee for the Protection of Foreign Born?

Mr. SUTHERLAND. I decline to answer for the same reason.

Mr. ARENS. Where were you born?

Mr. SUTHERLAND. I decline to answer for the same reason.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. DOYLE. I direct you to answer that question. It certainly is an appropriate question. It couldn't possibly incriminate you because you were born someplace.

(The witness confers with his counsel.)

Mr. ARENS. He is trying to figure out where he was born.

Mr. DOYLE. Did you hear my question, Witness, instructing you to tell us where you were born? I don't know that you heard me. I observe that it couldn't possibly incriminate you because you were born. That is why I am instructing you to answer.

Mr. SUTHERLAND. It is possible, before this committee, sometimes for a question to lead to other questions.

Mr. DOYLE. How could that incriminate you?

Mr. SUTHERLAND. And the most innocent-appearing questions are often very loaded and lead to other questions which are incriminating.

Mr. ARENS. Tell us where you were born.

Mr. SCHERER. The witness has had sufficient time. Let's pass to another question.

Mr. DOYLE. I think the witness surely will answer that question.

We are entitled to know, as long as you were born, where you were born.

Mr. ARENS. Were you born in the Western Hemisphere or the Eastern Hemisphere?

(There was no response.)

Mr. SCHERER. Where does the record show, counsel?

Mr. ARENS. That is precisely why I am asking the question. I am not certain.

Mr. SUTHERLAND. I think the——

Mr. ARENS. Were you born in the Western Hemisphere or Eastern Hemisphere?

Mr. SUTHERLAND. I am sure that the committee has a record of that.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer that question. We have wasted about 15 minutes waiting here for this answer.

Mr. DOYLE. Answer the question. I direct you to answer it.

(There was no response.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. No. He is going to answer finally. What was your answer?

Mr. SUTHERLAND. I wish to refuse to answer this question under my rights under the fifth amendment and other constitutional rights.

Mr. DOYLE. I have always been ashamed and afraid of any citizen, anyone who lives in the United States, that is ashamed to tell the United States Congress or the Government where they were born. I am always kind of leery of them. I don't know why, but that is just my experience, being 10 years in Congress.

It makes me feel uncomfortable when a person claiming the glory of residence and prosperity in the United States is afraid to tell the people of the United States where he was born. What are you afraid of?

Mr. SUTHERLAND. This is a common query of this committee.

Mr. DOYLE. There is nothing wrong on our part in asking you where you were born. I will instruct you to answer the question, and see what we can do about it.

(There was no response.)

Mr. DOYLE. Are you a citizen of the United States?

(There was no response.)

Mr. DOYLE. If you are, produce your certificate of citizenship.

(The witness confers with his counsel.)

Mr. SUTHERLAND. I am a citizen of the United States.

Mr. SCHERER. You are a citizen. Are you a naturalized citizen, sir?

Mr. SUTHERLAND. I am not a naturalized citizen.

Mr. SCHERER. Are you a citizen of the United States by derivation?

Mr. SUTHERLAND. No, I am not.

Mr. SCHERER. Then you are a naturally born citizen of the United States?

Mr. SUTHERLAND. That is right.

Mr. SCHERER. Why would you hesitate then to tell us you were born in the United States?

Mr. SUTHERLAND. I did not hesitate to tell you that.

Mr. SCHERER. You didn't?

Mr. DOYLE. You didn't?

You took 7 or 8 minutes to refuse to tell us where you were born. I watched the clock.

Mr. SUTHERLAND. Before this committee every question opens up such an area——

Mr. SCHERER. That couldn't possibly——

Mr. SUTHERLAND. That one must be careful even of telling the time of day to this committee, as to where it may lead legally.

Mr. SCHERER. I realize your apprehension, Witness, but you are stretching the point.

When we ask you where you were born and you are born in the United States, you are just fencing.

Mr. DOYLE. Any other questions of this witness?

Mr. SCHERER. No, I have no further questions.

Mr. DOYLE. That is all from this witness.

May I say to the police and sheriffs, Mr. Scherer and I are going to take 2 or 3 minutes to make a statement.

We very much appreciate and expect the courtesy of those that are in the room to not leave while we are speaking.

You have all been very courteous, and we appreciate it.

We do hope and expect that it will not result in a disturbance because we are going to take 2 or 3 minutes to say something. So please cooperate with us.

Mr. Scherer?

Mr. SCHERER. I want to say something with reference to the testimony of Attorney Caughlan, John Caughlan.

While he was on the stand he voluntarily mentioned the criminal case in which he was involved in this area some time ago, and, by his testimony, I believe, attempted to lead the committee to believe that a Federal court had decided that he was not a member of the Communist Party on the basis of evidence available at that time.

I have had the record checked of that case. And that case didn't basically involve the question as to whether or not he was a member of the Communist Party. It did not involve solely the question of whether the Defendant Caughlan made a false statement about his membership in the Communist Party. That was the basic issue.

But, as I said, the question as to whether he made a false statement as to his membership in the Communist Party wasn't the sole question involved, because the judge said in his charge to the jury in that case—

The indictment states that Caughlan was testifying to a material matter.

If you find the statements made by the defendant here not material to the Knaisky case, then you must return an acquittal.

So said the judge. So one of the issues involved was whether or not the statement that was alleged to have been made by John Caughlan was material to the case.

Mr. DOYLE. Gentlemen, in the next couple of minutes this committee wants to make the closing record of this hearing, and we would appreciate the courtesy of you people in not disturbing us by not leaving for a couple of minutes. We will hurry along.

But, lest our listeners or the people who read this record get an idea that this committee of Congress is just concerned about chickenfeed when it comes to the seriousness of the Communist threat to our own internal-security laws through the committee for the alleged protection of the foreign born, or through the Communist Party, or any other way, let me read one paragraph referred to and incorporated as a part of a decision June 8, 1955, by the distinguished Federal Judge Leon Yankwich of the Federal court of Los Angeles County. And this was as recent as June 8, 1955. I will just read one paragraph which he referred to in his decision. This is what the Federal judge incorporated by reference:

A Communist must be prepared to make every sacrifice and, if necessary, resort to all sorts of schemes and stratagems, employ illegitimate methods, conceal the truth, in order to get into the trade unions, stay there, and conduct the revolutionary work within.

Now my own closing statement is this: With this last session today in this great city of Seattle this subcommittee of the Committee on Un-American Activities concludes the current phase of its series of hearings on the broad subject of Communist political subversion and propaganda activities directed against the internal-security provisions of our national laws.

This series in several major cities of the United States has been one of the most extensive ever conducted. It has afforded us the opportunity of examining the operation of the subversive Soviet apparatus in the United States as it functions at this moment in the East, in the Midwest, in California and here in the great Pacific Northwest.

Because of the consecutive nature of these hearings we have been able to scrutinize the Communist Party activities and propaganda in these various geographical, heavily populated areas, and we have also been able to see how each relates to the other, and all, viewed together, form a cohesive nationwide pattern of subversive, conspiratorial, and illicit activity.

We have received a vast quantity of sworn testimony that illuminates the operation of the Communist underground from one end of the Nation to the other. We have been informed in detail about the flood of Communist propaganda flowing into the United States from behind the Iron Curtain and being distributed, in part, as a result of present subsidies by American taxpayers.

That is one area in which we are going to consider the matter of legislation.

We have been able to establish the identity of innumerable Communist-front organizations actively engaged in intensive subversive assault upon our security laws. We have seen how each of the regional organizations of the American Committee for Protection of Foreign Born functions as an integral component of the parent organization, the American Committee for Protection of Foreign Born.

We have been able to determine that the American Committee for Protection of Foreign Born and the regional organizations are controlled and directed by the Communist Party of the United States.

Here in Seattle we have been provided with an excellent present illustration of how the Communist Party operates.

The Federal court action filed just 2 days ago here in Seattle by the Washington Committee for Protection of Foreign Born, masquerading as a group of sincere and patriotic citizens, was, in fact, planned and instituted by the Communist Party in this area.

The sworn testimony and documentary record of bank checks introduced in this hearing show that the bank account of the Washington Committee for Protection of Foreign Born was actually under the control of persons identified under oath as Communist Party functionaries.

The parade of witnesses before this committee during this past week has been particularly instructive. We have been confronted with men and women who have migrated to this Nation and who have repaid our generosity with loyalty to a foreign conspiracy instead of the Stars and Stripes.

We have observed native-born Americans who would cast aside all patriotism in order to serve the Soviet Union and open the way for the conquest of their fellow countrymen.

Outside of this very hearing room, certain witnesses before this committee have prated of their concern for our basic freedom of speech and political action. They have expressed great pride in the propaganda they have issued on behalf of supposedly noble objectives. But before us, a congressional committee of American Congressmen here under authority of law, and while they were under oath, they have refused to speak about their activities and affiliations although they were given every reasonable opportunity.

They have, instead, taken refuge in deceit and evasion, and, while they have provided us with little information, they have enabled us to gage the extent of their lack of sincerity.

We do not criticize any witness who pleads his constitutional privilege in good faith. But too often we know that their use of this privilege is hypocritical and subversive.

It is a sobering picture we have received during these past days as we have contemplated these men and women who are seeking to defraud the people of this area of financial contributions to Communist-front organizations and enlist them in a campaign aimed at the subversive destruction of our constitutional form of government.

While they clamor about civil rights, about justice and fair play, and freedom of speech and of the press they actually hold these constitutional values in contempt. Their single purpose is to bring an

end to all our legal defenses against the conspiracy of international communism.

They have clearly revealed themselves not as progressives but as the vanguard of the blackest reaction that mankind has ever known and which today is murdering innocent freedom-loving women, men, and children by the thousands in a foreign country, in Hungary.

While they agitate on behalf of supposedly victimized foreign born in the United States it is obvious that they have no real humanitarian motive. The butchery of the people of Hungary leaves them unmoved. They give neither words nor money to aid the refugees from Hungary. Instead, they attack the immigration and nationality law and other Federal statutes which make it possible for us to give asylum to thousands of these innocent victims of Soviet oppression and butchering.

At this point I want to thank everyone who has been so helpful to this committee here. Manifestly, you observe and we know and feel that the work of this committee is no picnic. It is very difficult. But it is our job to do.

I want to thank the Seattle Police Department, the sheriff's department and the custodians of this building, including the elevator men and women and the janitors who have to clean up after us, and the commissioners of this great county and city. We appreciate it very, very much.

And I want to especially thank the members of the Seattle Bar Association who volunteered their services. They were so cooperative in protecting their clients' rights and yet consistently making it as brief as they could. I couldn't help but observe, though—and I don't say this critically—that I wonder if the Seattle bar hasn't been a little bit imposed upon by some of these people.

In other words, if all of these witnesses claimed to the bar that they were indigent and didn't have money to pay \$25 or \$50 or \$75 to hire a lawyer before this committee, it just looks to me like some of the witnesses have been imposing upon some of the members of the Seattle bar. I say that with utmost respect to the Seattle bar. You are most generous; you are most capable; you are most patriotic.

But it just looked to me, from the jewelry and the fine appearance of some of these witnesses, that they have imposed upon some members of the Seattle bar in saying that they didn't have the money to pay for representation.

Now, in closing, I would like to emphasize again that the Committee on Un-American Activities is not attempting to restrict the right of any legitimate organization or individual to engage in efforts to change our laws. Our purpose is to develop accurate, extensive information on the activities of the Communist Party in the United States and the Communist fronts, their methods of illegal propaganda and infiltration, and their activities against the internal security laws passed by the United States Congress. We in Congress feel we are entitled to know with whom we are dealing.

I wish to repeat that I am certain that every thinking, patriotic citizen knows that we in Congress and the members of your State legislature must know who is petitioning us in order that we might do a fair, honest, equitable job in legislation.

The secret lobbyists, the deceptive lobbyists, the undisclosed lobbyists are the ones that are dangerous. We welcome and invite the

lobbying and the petitioning of Congress at every level by people who disclose their true identity and their true interest.

It is apparent to us that, far from there being the need for repeal of any existing anti-Communist legislation, there is an imperative need for the strengthening of all existing laws so the democratic processes of this Nation may be further safeguarded against those who seek to use them for ultimate annihilation of our constitutional democracy.

In the field of contemplated legislation this subcommittee, promptly upon our return to our Nation's Capital, shall have a conference with our full committee membership, and we shall, together, carefully determine what legislation we will recommend to the next session of the United States Congress.

My last word is that I wish to also express appreciation to all you listeners who have been in the commissioners' room. You have been most gracious.

And I think, Mr. Scherer, that, as a California Congressman, I want the record to show that I think the Seattle listeners, the Seattle witnesses, and the Seattle counsel, substantially, have been the nicest group that we have had to work with on the Pacific coast. And that means that we have had hearings in my city of Los Angeles and San Francisco. But you are the nicest group to work with, and we appreciate it very much.

The committee will stand adjourned.

(Whereupon, at 4:10 p. m., Friday, December 14, 1956, the committee was recessed subject to the call of the Chair. Committee members present: Representatives Doyle and Scherer.)

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¹ Misspelled Karly Larsen in these references.² Incorrectly spelled Vern Lym in this reference.

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¹ Also spelled Juditz.² Referred to as Philadelphia Committee To Defend the Foreign Born.

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